transforming traditional ways of doing business, as it is creating entirely new forms of business that never existed before. And high-speed Internet access is the key to advancing technological growth.

The Broadband Internet Access Act of 2000 provides graduated tax credits for deployment of high-speed communications to residential and rural communities. It gives a 10 percent credit for the deployment of at least 1.5 million bits per second downstream and 200,000 bits per second upstream to all subscribers—residential, business, and institutions—in rural and low income areas. This is what we call the ''current generation'' broadband. The bill also gives a 20 percent credit for the deployment of at least 22 million bits per second downstream and 10 million bits per second upstream to all subscribers in rural and low income areas, and to all residential customers in other areas. This is what we are calling ''next generation'' broadband.

Mr. President, as we look around us today and see the many streets that are being torn-up to lay cables for high-speed communication, and the communication dishes that are constantly ''sprouting'' from our buildings, we may wonder why we need a tax credit to advance an industry that is already growing by leaps and bounds. The reason, again, is that this growth is most extensive in selected areas. Market forces are driving deployment of high-speed communication capabilities almost exclusively to urban businesses and wealthy households. Rural businesses and rural families like those in Montana again find themselves at the back of the line. And by the time our turn comes for this technology, the rest of the country will already be well into the next technological generation. The Digital Divide, which is already a wedge between our citizens, will be perpetuated and grow into a chasm.

This bill is designed to even the playing field. By giving private industry economic incentives to accelerate high-speed communication capabilities to Americans who are at the end of the line, we will help people like my constituents in Montana share in our nation's economic growth.

As a member of the Senate Broadband Caucus, which was established to develop solutions to the problem of bringing high-speed Internet access to rural and underserved areas, I have worked hard on initiatives which would help rural areas bridge the Digital Divide. These initiatives include: the Rural Broadband Enhancement Act, which provides $5 billion in low interest loans for broadband development; the Rural Telework Act of 2000, to provide grants to develop National Centers for Distance Working which would provide access to technology and training for rural residents; the Universal Service Support Act, which lifts the cap on the universal service support fund for rural telecommunications providers; and the amendment I offered to the Rural Television Bill, to give consideration to projects which offer high speed Internet access in addition to television programming.

I believe these initiatives, along with the Broadband Internet Access Act we are introducing today, will go a long way toward finally bridging the growing Digital Divide and help rural areas grow and flourish. With this legislation, I hope to create an economic environment that will make sure Montana's children and grandchildren will no longer have to sacrifice enjoying the beauty of the ''last great place'' in order to earn a living wage.

By Mrs. FEINSTEIN:

S. 2699. A bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of social security numbers and social security account numbers, and for other purposes; to the Committee on Finance.

SOCIAL SECURITY NUMBER PROTECTION ACT OF 2000

Mrs. FEINSTEIN. Mr. President, I am pleased today to join the administration and, particularly the Vice President, in introducing the Social Security Number Protection Act of 2000.

This legislation is designed to curb the unregulated sale and purchase of Social Security numbers, which have contributed significantly to a growing range of illegal activities, including fraud, identity theft, and, in some cases, stalking and other violent crimes.

Mr. President, in 1997, I introduced S. 600, the Personal Privacy Information Act, with Senator GRASSLEY after watching in dismay as one of my staff downloaded my own Social Security number off of the Internet in less than three minutes.

Nothing much has changed. For a mere $45, one can go online and purchase a person's Social Security number from a whole host of web businesses—no questions asked.

Why is it so important to stop the commercial sale of individuals' personal Social Security numbers? Once a criminal has a potential victim's Social Security number, that person becomes extremely vulnerable to having his or her whereabouts tracked and his or her identity stolen.

The Social Security number is the Nation's de facto national identifier. It is a key to one's public identity. The Federal Government uses it as a taxpayer identification number, the Medicare number, and as a soldier's serial number. States use the Social Security number as the identification number on drivers' licenses, fishing licenses, and other official records. Banks use it to establish personal identification for credit. The number is requested by telephone companies, gas companies, and even by brokerages when consumers set-up personal accounts.

Thus, a criminal who purchases a Social Security number is well on his way to fraudulently obtaining numerous services in the name of an unsuspecting American.

Partly due to this unrestricted traffic in Social Security numbers, our country is facing an explosion in identity theft crimes. The Social Security Administration recently reported that it had received more than 30,000 complaints about the misuse of Social Security numbers, last year, most of which had to do with identity theft. This is an increase of 350% from 1997, when there were 7,868 complaints. In total, Treasury Department officials estimate that identity theft causes between $2 and $3 billion in losses each year—just from credit cards.

According to a recent survey of identity theft victims published jointly by the Privacy Rights Clearinghouse and CALPIRG, the average identity theft victim has fraudulent charges of $18,000 made in his name. Typically, an identity theft victim spends approximately 175 hours of personal time over a two-year period to clean-up his credit record.

Sometimes, this unrestricted sale of personal information can have tragic results. Amy Boyer, a twenty-year old dental assistant in New Hampshire, was killed last year by a stalker who bought her Social Security number off an Internet web site for $45. Armed with this critical information, he tracked her down to her work address.

Here are some other examples of Social Security number misuse. Kim Brady, a constituent from Castro Valley, California, wrote to me that an identity thief obtained a credit card in her name on the Internet. The application ''was approved in 10 seconds even though the application only had [her] name, Social Security number, and birth date correct.'' When Ms. Bradbury contacted credit card companies and asked how a credit card was issued in her name despite false information on the application, the companies said they only look to ''see that the name and the Social Security number match.''

Another California constituent, Michelle Brown of Hermosa Beach, informed me that a criminal used her Social Security number to fraudulently assume her identity. The perpetrator rang up a total of $50,000 in charges including a $32,000 truck and $5,000 worth of liposuction. In addition, the perpetrator used Michelle's identity to establish wireless and residential telephone service, utilities service, and to obtain a year-long residential lease.

Michelle notes that she has spent hundreds of hours trying to restore her good name and has endured ''weeks of sleepless nights, suffering from nearly no appetite, and nerve-shattering moments of my life spinning out of control.''

In another case, a retired air force officer was falsely billed for $113,000 on 33 different credit accounts after identity

thieves stole his Social Security number. He and his wife have dealt with over a dozen third party collection agencies. They are also being sued by a furniture store in Texas and have had five automobiles purchased in their name.

I am pleased to work with the Administration on this bill because no one should seek to profit from the sale of Social Security numbers in circumstances that create a substantial risk of physical, emotional, or financial harm to the person to whom these numbers are assigned.

What would this bill do? The Social Security Number Protection Act would impose criminal and civil penalties for the sale and purchase of Social Security numbers. Specifically, it would direct the Federal Trade Commission to issue regulations prohibiting this sale.

The legislation would direct the FTC to permit exceptions to this ban in a very narrow range of circumstances, including where an individual has consented to the sale, for law enforcement or national security reasons, in emergency situations to protect an individual's health and safety, for research or public health purposes, and where the use of the Social Security number is for a lawful purpose and is unlikely to result in serious bodily, emotional, or financial harm of a Social Security number holder.

Mr. President, I think this is a very important step forward. The bill is carefully drawn. It simply prevents the sale of Social Security numbers for profit, which can result in enormous wrongdoing to the individual Social Security number holder.

I yield the floor.

By Mr. L. CHAFEE (for himself, Mr. LAUTENBERG, Mr. SMITH of New Hampshire, and Mr. BAUCUS):

S. 2700. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes; to the Committee on Environment and Public Works.

BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION ACT OF 2000

Mr. L. CHAFEE. I rise today to introduce the Brownfields Revitalization and Environmental Restoration Act of 2000 together with Senator LAUTENBERG, Senator SMITH of New Hampshire, and Senator BAUCUS. We are introducing this bill today because we support legislation that will expedite cleanup of our nation's hazardous waste sites. We support economic development in our neighborhoods and job creation in our cities. We also support invigorating our urban cores and bolstering local governments. Mr. President, we are introducing this legislation today because, if enacted, it has the potential to fulfill these objectives, which are important to me and I believe to every Senator.

Brownfields are typically older commercial or industrial properties at which development is hindered by the presence—or even the potential presence—of hazardous substances. Countless numbers of brownfield sites blight our communities, pose health and environmental hazards, erode our cities' tax base, and contribute to urban sprawl. In fact, the U.S. Conference of Mayors has estimated that more than 450,000 brownfield sites exist nationwide. But, we stand to reap enormous economic, environmental, and social benefits with the successful redevelopment of brownfield sites. The redevelopment of brownfields capitalizes on existing infrastructure, creates a robust tax base for local governments, attracts new businesses and jobs, reduces the environmental and health risks to communities, and preserves community character. This can truly be a victory for everyone.

While everyone agrees that brownfield sites should be cleaned up, presently there are many problems that prevent us from cleaning up these sites. Let me address the problems and how our legislation poses solutions.

Problem: There is not enough funding to address the large number of brownfield sites that exist.

Solution: The bill authorizes $150 million per year to state and local governments to perform assessments and cleanup at brownfield sites. It also authorizes $50 million per year to establish and enhance State brownfield programs.

Problem: Communities that strive to clean up sites, such as Riverside Mills alongside the Woonasquatucket River in Providence, in order to turn them into greenspace, cannot since there will be no future income stream to repay a loan.

Solution: The bill will allow EPA to issue grants to state and local governments to clean up sites that will be converted into parks or open space.

Problem: People who bought brownfield sites and did not cause the contamination could be liable under Superfund.

Solution: The bill clarifies that innocent landowners, that act appropriately, are not responsible for paying cleanup costs.

Problem: Developers that want to purchase brownfield sites may be liable for future cleanup costs.

Solution: The bill encourages developers to purchase and develop brownfield sites by exempting from liability prospective purchasers that do not cause or worsen the contamination at a site.

Problem: Superfund liability issues prevent development of areas near contaminated sites.

Solution: The bill includes an exemption from Superfund liability for contiguous property owners.

Problem: Investors do not clean up brownfield sites because for fear that EPA will ''second-guess'' their actions.

Solution: The bill offers finality by precluding EPA from taking an action at a site being addressed under a state cleanup program unless there is an ''imminent and substantial endangerment'' to public health or the environment, and additional work needs to be done.

I am proud to introduce this bill with my esteemed colleagues from the Environment and Public Works Committee. The fact that this bill is sponsored by the Chairman and Ranking Minority Member of the Superfund Subcommittee and the Environment and Public Works Committee speaks very highly for the bipartisan efforts to achieve consensus on this issue. A factor critical to the success of this legislation, will be continued bipartisanship. We must continue to reach across the aisle; we must continue to find common ground; and we must continue to work cooperatively to move this legislation. I urge all Senators to support this legislation, which can—and should—be enacted this year.

Mr. President, I ask unanimous consent that the 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. 2700

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Brownfields Revitalization and Environmental Restoration Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—BROWNFIELDS REVITALIZATION FUNDING

SEC. 101. BROWNFIELDS REVITALIZATION FUNDING.

(a) DEFINITION OF BROWNFIELD SITE.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) is amended by adding at the end the following:

''(39) BROWNFIELD SITE.—

''(A) IN GENERAL.—The term 'brownfield site' means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

''(B) EXCLUSIONS.—The term 'brownfield site' does not include—

''(i) a facility that is the subject of a planned or ongoing removal action under this title;

''(ii) a facility that is listed on the National Priorities List or is proposed for listing;

''(iii) a facility that is the subject of a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree that has been issued to or entered into by the parties under this Act;

''(iv) a facility that is the subject of a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree that has been issued to or entered into by the parties, or a facility to which a permit has been issued by the United States or an authorized State under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1321), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), or the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

''(v) a facility that—

''(I) is subject to corrective action under section 3004(u) or 3008(h) of the Solid Waste Disposal Act (42 U.S.C. 6924(u), 6928(h)); and

''(II) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;

''(vi) a land disposal unit with respect to which—

''(I) a closure notification under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) has been submitted; and

''(II) closure requirements have been specified in a closure plan or permit;

''(vii) a facility that is subject to the jurisdiction, custody, or control of a department, agency, or instrumentality of the United States, except for land held in trust by the United States for an Indian tribe;

''(viii) a portion of a facility—

''(I) at which there has been a release of polychlorinated biphenyls; and

''(II) that is subject to remediation under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.); or

''(ix) a portion of a facility, for which portion, assistance for response activity has been obtained under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) from the Leaking Underground Storage Tank Trust Fund established under section 9508 of the Internal Revenue Code of 1986.

''(C) SITE-BY-SITE DETERMINATIONS.—Notwithstanding subparagraph (B) and on a site-by-site basis, the President may authorize financial assistance under section 128 to an eligible entity at a site included in clause (i), (iv), (v), (vi), (viii), or (ix) of subparagraph (B) if the President finds that financial assistance will protect human health and the environment, and either promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes.

''(D) ADDITIONAL AREAS.—For the purposes of section 128, the term 'brownfield site' includes—

''(i) a site that is contaminated by a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); and

''(ii) mine-scarred land.''.

(b) BROWNFIELDS REVITALIZATION FUNDING.—Title I of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) is amended by adding at the end the following:

''SEC. 128. BROWNFIELDS REVITALIZATION FUNDING.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a general purpose unit of local government;

''(2) a land clearance authority or other quasi-governmental entity that operates under the supervision and control of or as an agent of a general purpose unit of local government;

''(3) a government entity created by a State legislature;

''(4) a regional council or group of general purpose units of local government;

''(5) a redevelopment agency that is chartered or otherwise sanctioned by a State;

''(6) a State; or

''(7) an Indian Tribe.

''(b) BROWNFIELD SITE CHARACTERIZATION AND ASSESSMENT GRANT PROGRAM.—

''(1) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to—

''(A) provide grants to inventory, characterize, assess, and conduct planning related to brownfield sites under paragraph (2); and

''(B) perform targeted site assessments at brownfield sites.

''(2) ASSISTANCE FOR SITE CHARACTERIZATION AND ASSESSMENT.—

''(A) IN GENERAL.—On approval of an application made by an eligible entity, the Administrator may make a grant to the eligible entity to be used for programs to inventory, characterize, assess, and conduct planning related to 1 or more brownfield sites.

''(B) SITE CHARACTERIZATION AND ASSESSMENT.—A site characterization and assessment carried out with the use of a grant under subparagraph (A) shall be performed in accordance with section 101(35)(B).

''(c) GRANTS AND LOANS FOR BROWNFIELD REMEDIATION.—

''(1) GRANTS PROVIDED BY THE PRESIDENT.—Subject to subsections (d) and (e), the President shall establish a program to provide grants to—

''(A) eligible entities, to be used for capitalization of revolving loan funds; and

''(B) eligible entities or nonprofit organizations, where warranted, as determined by the President based on considerations under paragraph (3), to be used directly for remediation of 1 or more brownfield sites that is owned by the entity or organization that receives the grant and in amounts not to exceed $200,000 for each site to be remediated.

''(2) LOANS AND GRANTS PROVIDED BY ELIGIBLE ENTITIES.—An eligible entity that receives a grant under paragraph (1)(A) shall use the grant funds to provide assistance for the remediation of brownfield sites in the form of—

''(A) 1 or more loans to an eligible entity, a site owner, a site developer, or another person; or

''(B) 1 or more grants to an eligible entity or other nonprofit organization, where warranted, as determined by the eligible entity that is providing the assistance, based on considerations under paragraph (3), to remediate sites owned by the eligible entity or nonprofit organization that receives the grant.

''(3) CONSIDERATIONS.—In determining whether a grant under paragraph (1)(B) or (2)(B) is warranted, the President or the eligible entity, as the case may be, shall take into consideration—

''(A) the extent to which a grant will facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes;

''(B) the extent to which a grant will meet the needs of a community that has an inability to draw on other sources of funding for environmental remediation and subsequent redevelopment of the area in which a brownfield site is located because of the small population or low income of the community;

''(C) the extent to which a grant will facilitate the use or reuse of existing infrastructure;

''(D) the benefit of promoting the long-term availability of funds from a revolving loan fund for brownfield remediation; and

''(E) such other factors as the Administrator considers appropriate to consider for the purposes of this section.

''(4) COMPLIANCE WITH APPLICABLE LAWS.—An eligible entity that provides assistance under paragraph (2) shall include in all loan and grant agreements a requirement that the loan or grant recipient shall comply with all laws applicable to the cleanup for which grant funds will be used and ensure that the cleanup protects human health and the environment.

''(5) TRANSITION.—Revolving loan funds that have been established before the date of enactment of this section may be used in accordance with this subsection.

''(d) GENERAL PROVISIONS.—

''(1) MAXIMUM GRANT AMOUNT.—

''(A) BROWNFIELD SITE CHARACTERIZATION AND ASSESSMENT.—

''(i) IN GENERAL.—A grant under subsection (b)—

''(I) may be awarded to an eligible entity on a community-wide or site-by-site basis; and

''(II) shall not exceed, for any individual brownfield site covered by the grant, $200,000.

''(ii) WAIVER.—The Administrator may waive the $200,000 limitation under clause (i)(II) to permit the brownfield site to receive a grant of not to exceed $350,000, based on the anticipated level of contamination, size, or status of ownership of the site.

''(B) BROWNFIELD REMEDIATION.—

''(i) GRANT AMOUNT.—A grant under subsection (c)(1)(A) may be awarded to an eligible entity on a community-wide or site-by-site basis, not to exceed $1,000,000 per eligible entity.

''(ii) ADDITIONAL GRANT AMOUNT.—The Administrator may make an additional grant to an eligible entity described in clause (i) for any year after the year for which the initial grant is made, taking into consideration—

''(I) the number of sites and number of communities that are addressed by the revolving loan fund;

''(II) the demand for funding by eligible entities that have not previously received a grant under this section;

''(III) the demonstrated ability of the eligible entity to use the revolving loan fund to enhance remediation and provide funds on a continuing basis; and

''(IV) any other factors that the Administrator considers appropriate to carry out this section.

''(2) PROHIBITION.—

''(A) IN GENERAL.—No part of a grant or loan under this section may be used for the payment of—

''(i) a penalty or fine;

''(ii) a Federal cost-share requirement;

''(iii) an administrative cost;

''(iv) a response cost at a brownfield site for which the recipient of the grant or loan is potentially liable under section 107; or

''(v) a cost of compliance with any Federal law (including a Federal law specified in section 101(39)(B)).

''(B) EXCLUSIONS.—For the purposes of subparagraph (A)(iii), the term 'administrative cost' does not include the cost of—

''(i) investigation and identification of the extent of contamination;

''(ii) design and performance of a response action; or

''(iii) monitoring of a natural resource.

''(3) ASSISTANCE FOR DEVELOPMENT OF LOCAL GOVERNMENT SITE REMEDIATION PROGRAMS.—A local government that receives a grant under this section may use not to exceed 10 percent of the grant funds to develop

and implement a brownfields program that may include—

''(A) monitoring the health of populations exposed to 1 or more hazardous substances from a brownfield site; and

''(B) monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance from a brownfield site.

''(e) GRANT APPLICATIONS.—

''(1) SUBMISSION.—

''(A) IN GENERAL.—

''(i) APPLICATION.—An eligible entity may submit to the Administrator, through a regional office of the Environmental Protection Agency and in such form as the Administrator may require, an application for a grant under this section for 1 or more brownfield sites (including information on the criteria used by the Administrator to rank applications under paragraph (3), to the extent that the information is available).

''(ii) NCP REQUIREMENTS.—The Administrator may include in any requirement for submission of an application under clause (i) a requirement of the National Contingency Plan only to the extent that the requirement is relevant and appropriate to the program under this section.

''(B) COORDINATION.—The Administrator shall coordinate with other Federal agencies to assist in making eligible entities aware of other available Federal resources.

''(C) GUIDANCE.—The Administrator shall publish guidance to assist eligible entities in applying for grants under this section.

''(2) APPROVAL.—The Administrator shall—

''(A) complete an annual review of applications for grants that are received from eligible entities under this section; and

''(B) award grants under this section to eligible entities that the Administrator determines have the highest rankings under the ranking criteria established under paragraph (3).

''(3) RANKING CRITERIA.—The Administrator shall establish a system for ranking grant applications received under this subsection that includes the following criteria:

''(A) The extent to which a grant will stimulate the availability of other funds for environmental assessment or remediation, and subsequent reuse, of an area in which 1 or more brownfield sites are located.

''(B) The potential of the proposed project or the development plan for an area in which 1 or more brownfield sites are located to stimulate economic development of the area on completion of the cleanup.

''(C) The extent to which a grant would address or facilitate the identification and reduction of threats to human health and the environment.

''(D) The extent to which a grant would facilitate the use or reuse of existing infrastructure.

''(E) The extent to which a grant would facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.

''(F) The extent to which a grant would meet the needs of a community that has an inability to draw on other sources of funding for environmental remediation and subsequent redevelopment of the area in which a brownfield site is located because of the small population or low income of the community.

''(G) The extent to which the applicant is eligible for funding from other sources.

''(H) The extent to which a grant will further the fair distribution of funding between urban and nonurban areas.

''(I) The extent to which the grant provides for involvement of the local community in the process of making decisions relating to cleanup and future use of a brownfield site.

''(f) IMPLEMENTATION OF BROWNFIELDS PROGRAMS.—

''(1) ESTABLISHMENT OF PROGRAM.—The Administrator may provide, or fund eligible entities to provide, training, research, and technical assistance to individuals and organizations, as appropriate, to facilitate the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation.

''(2) FUNDING RESTRICTIONS.—The total Federal funds to be expended by the Administrator under this subsection shall not exceed 15 percent of the total amount appropriated to carry out this section in any fiscal year.

''(g) AUDITS.—

''(1) IN GENERAL.—The Inspector General of the Environmental Protection Agency shall conduct such reviews or audits of grants and loans under this section as the Inspector General considers necessary to carry out this section.

''(2) PROCEDURE.—An audit under this paragraph shall be conducted in accordance with the auditing procedures of the General Accounting Office, including chapter 75 of title 31, United States Code.

''(3) VIOLATIONS.—If the Administrator determines that a person that receives a grant or loan under this section has violated or is in violation of a condition of the grant, loan, or applicable Federal law, the Administrator may—

''(A) terminate the grant or loan;

''(B) require the person to repay any funds received; and

''(C) seek any other legal remedies available to the Administrator.

''(h) LEVERAGING.—An eligible entity that receives a grant under this section may use the grant funds for a portion of a project at a brownfield site for which funding is received from other sources if the grant funds are used only for the purposes described in subsection (b) or (c).

''(i) AGREEMENTS.—Each grant or loan made under this section shall be subject to an agreement that—

''(1) requires the recipient to comply with all applicable Federal and State laws;

''(2) requires that the recipient use the grant or loan exclusively for purposes specified in subsection (b) or (c), as applicable;

''(3) in the case of an application by an eligible entity under subsection (c)(1), requires the eligible entity to pay a matching share (which may be in the form of a contribution of labor, material, or services) of at least 20 percent, from non-Federal sources of funding, unless the Administrator determines that the matching share would place an undue hardship on the eligible entity; and

''(4) contains such other terms and conditions as the Administrator determines to be necessary to carry out this section.

''(j) FACILITY OTHER THAN BROWNFIELD SITE.—The fact that a facility may not be a brownfield site within the meaning of section 101(39)(A) has no effect on the eligibility of the facility for assistance under any other provision of Federal law.

''(k) FUNDING.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2001 through 2005.''.

TITLE II—BROWNFIELDS LIABILITY CLARIFICATIONS

SEC. 201. CONTIGUOUS PROPERTIES.

Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) is amended by adding at the end the following:

''(o) CONTIGUOUS PROPERTIES.—

''(1) NOT CONSIDERED TO BE AN OWNER OR OPERATOR.—

''(A) IN GENERAL.—A person that owns real property that is contiguous to or otherwise similarly situated with respect to, and that is or may be contaminated by a release or threatened release of a hazardous substance from, real property that is not owned by that person shall not be considered to be an owner or operator of a vessel or facility under paragraph (1) or (2) of subsection (a) solely by reason of the contamination if—

''(i) the person did not cause, contribute, or consent to the release or threatened release;

''(ii) the person is not—

''(I) potentially liable, or affiliated with any other person that is potentially liable, for response costs at a facility through any direct or indirect familial relationship or any contractual, corporate, or financial relationship (other than a contractual, corporate, or financial relationship that is created by a contract for the sale of goods or services); or

''(II) the result of a reorganization of a business entity that was potentially liable;

''(iii) the person takes reasonable steps to—

''(I) stop any continuing release;

''(II) prevent any threatened future release; and

''(III) prevent or limit human, environmental, or natural resource exposure to any hazardous substance released on or from property owned by that person;

''(iv) the person provides full cooperation, assistance, and access to persons that are authorized to conduct response actions or natural resource restoration at the vessel or facility from which there has been a release or threatened release (including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response action at the vessel or facility);

''(v) the person—

''(I) is in compliance with any land use restrictions established or relied on in connection with the response action at a facility; and

''(II) does not impede the effectiveness or integrity of any institutional control employed in connection with a response action;

''(vi) the person is in compliance with any request for information or administrative subpoena issued by the President under this Act;

''(vii) the person provides all legally required notices with respect to the discovery or release of any hazardous substances at the facility; and

''(viii) at the time at which the person acquired the property, the person—

''(I) conducted all appropriate inquiry within the meaning of section 101(35)(B) with respect to the property; and

''(II) did not know or have reason to know that the property was or could be contaminated by a release or threatened release of 1 or more hazardous substances from other real property not owned or operated by the person.

''(B) DEMONSTRATION.—To qualify as a person described in subparagraph (A), a person must establish by a preponderance of the evidence that the conditions in clauses (i) through (viii) of subparagraph (A) have been met.

''(C) BONA FIDE PROSPECTIVE PURCHASER.—Any person that does not qualify as a person described in this paragraph because the person had knowledge specified in subparagraph (A)(viii) at the time of acquisition of the real property may qualify as a bona fide prospective purchaser under section 101(40) if the person is otherwise described in that section.

''(D) GROUND WATER.—If a hazardous substance from 1 or more sources that are not on the property of a person enters ground water beneath the property of the person solely as a result of subsurface migration in

an aquifer, subparagraph (A)(iii) shall not require the person to conduct ground water investigations or to install ground water remediation systems, except in accordance with the policy of the Environmental Protection Agency concerning owners of property containing contaminated aquifers, dated May 24, 1995.

''(2) EFFECT OF LAW.—With respect to a person described in this subsection, nothing in this subsection—

''(A) limits any defense to liability that may be available to the person under any other provision of law; or

''(B) imposes liability on the person that is not otherwise imposed by subsection (a).

''(3) ASSURANCES.—The Administrator may—

''(A) issue an assurance that no enforcement action under this Act will be initiated against a person described in paragraph (1); and

''(B) grant a person described in paragraph (1) protection against a cost recovery or contribution action under section 113(f).''.

SEC. 202. PROSPECTIVE PURCHASERS AND WINDFALL LIENS.

(a) DEFINITION OF BONA FIDE PROSPECTIVE PURCHASER.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) (as amended by section 101(a)) is amended by adding at the end the following:

''(40) BONA FIDE PROSPECTIVE PURCHASER.—The term 'bona fide prospective purchaser' means a person (or a tenant of a person) that acquires ownership of a facility after the date of enactment of this paragraph and that establishes each of the following by a preponderance of the evidence:

''(A) DISPOSAL PRIOR TO ACQUISITION.—All disposal of hazardous substances at the facility occurred before the person acquired the facility.

''(B) INQUIRIES.—

''(i) IN GENERAL.—The person made all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices in accordance with clauses (ii) and (iii).

''(ii) STANDARDS AND PRACTICES.—The standards and practices referred to in clauses (ii) and (iv) of paragraph (35)(B) shall be considered to satisfy the requirements of this subparagraph.

''(iii) RESIDENTIAL USE.—In the case of property in residential or other similar use at the time of purchase by a nongovernmental or noncommercial entity, a facility inspection and title search that reveal no basis for further investigation shall be considered to satisfy the requirements of this subparagraph.

''(C) NOTICES.—The person provides all legally required notices with respect to the discovery or release of any hazardous substances at the facility.

''(D) CARE.—The person exercises appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to—

''(i) stop any continuing release;

''(ii) prevent any threatened future release; and

''(iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous substance.

''(E) COOPERATION, ASSISTANCE, AND ACCESS.—The person provides full cooperation, assistance, and access to persons that are authorized to conduct response actions at a vessel or facility (including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response actions at the vessel or facility).

''(F) INSTITUTIONAL CONTROL.—The person—

''(i) is in compliance with any land use restrictions established or relied on in connection with the response action at a vessel or facility; and

''(ii) does not impede the effectiveness or integrity of any institutional control employed at the vessel or facility in connection with a response action.

''(G) REQUESTS; SUBPOENAS.—The person complies with any request for information or administrative subpoena issued by the President under this Act.

''(H) NO AFFILIATION.—The person is not—

''(i) potentially liable, or affiliated with any other person that is potentially liable, for response costs at a facility through—

''(I) any direct or indirect familial relationship; or

''(II) any contractual, corporate, or financial relationship (other than a contractual, corporate, or financial relationship that is created by the instruments by which title to the facility is conveyed or financed or by a contract for the sale of goods or services); or

''(ii) the result of a reorganization of a business entity that was potentially liable.''.

(b) PROSPECTIVE PURCHASER AND WINDFALL LIEN.—Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) (as amended by section 201) is amended by adding at the end the following:

''(p) PROSPECTIVE PURCHASER AND WINDFALL LIEN.—

''(1) LIMITATION ON LIABILITY.—Notwithstanding subsection (a)(1), a bona fide prospective purchaser whose potential liability for a release or threatened release is based solely on the purchaser's being considered to be an owner or operator of a facility shall not be liable as long as the bona fide prospective purchaser does not impede the performance of a response action or natural resource restoration.

''(2) LIEN.—If there are unrecovered response costs incurred by the United States at a facility for which an owner of the facility is not liable by reason of paragraph (1), and if each of the conditions described in paragraph (3) is met, the United States shall have a lien on the facility, or may by agreement with the party obtain from an appropriate party a lien on any other property or other assurance of payment satisfactory to the Administrator, for the unrecovered response costs.

''(3) CONDITIONS.—The conditions referred to in paragraph (2) are the following:

''(A) RESPONSE ACTION.—A response action for which there are unrecovered costs of the United States is carried out at the facility.

''(B) FAIR MARKET VALUE.—The response action increases the fair market value of the facility above the fair market value of the facility that existed before the response action was initiated.

''(4) AMOUNT; DURATION.—A lien under paragraph (2)—

''(A) shall be in an amount not to exceed the increase in fair market value of the property attributable to the response action at the time of a sale or other disposition of the property;

''(B) shall arise at the time at which costs are first incurred by the United States with respect to a response action at the facility;

''(C) shall be subject to the requirements of subsection (l)(3); and

''(D) shall continue until the earlier of—

''(i) satisfaction of the lien by sale or other means; or

''(ii) notwithstanding any statute of limitations under section 113, recovery of all response costs incurred at the facility.''.

SEC. 203. INNOCENT LANDOWNERS.

Section 101(35) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(35)) is amended—

(1) in subparagraph (A)—

(A) in the first sentence, in the matter preceding clause (i), by striking ''deeds or'' and inserting ''deeds, easements, leases, or''; and

(B) in the second sentence—

(i) by striking ''he'' and inserting ''the defendant''; and

(ii) by striking the period at the end and inserting '', provides full cooperation, assistance, and facility access to the persons that are authorized to conduct response actions at the facility (including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response action at the facility), and is in compliance with any land use restrictions established or relied on in connection with the response action at a facility, and does not impede the effectiveness or integrity of any institutional control employed at the facility in connection with a response action.''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) REASON TO KNOW.—

''(i) ALL APPROPRIATE INQUIRIES.—To establish that the defendant had no reason to know of the matter described in subparagraph (A)(i), the defendant must demonstrate to a court that—

''(I) on or before the date on which the defendant acquired the facility, the defendant carried out all appropriate inquiries, as provided in clauses (ii) and (iv), into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices; and

''(II) the defendant took reasonable steps to—

''(aa) stop any continuing release;

''(bb) prevent any threatened future release; and

''(cc) prevent or limit any human, environmental, or natural resource exposure to any previously released hazardous substance.

''(ii) STANDARDS AND PRACTICES.—Not later than 2 years after the date of enactment of the Brownfields Revitalization and Environmental Restoration Act of 2000, the Administrator shall by regulation establish standards and practices for the purpose of satisfying the requirement to carry out all appropriate inquiries under clause (i).

''(iii) CRITERIA.—In promulgating regulations that establish the standards and practices referred to in clause (ii), the Administrator shall include each of the following:

''(I) The results of an inquiry by an environmental professional.

''(II) Interviews with past and present owners, operators, and occupants of the facility for the purpose of gathering information regarding the potential for contamination at the facility.

''(III) Reviews of historical sources, such as chain of title documents, aerial photographs, building department records, and land use records, to determine previous uses and occupancies of the real property since the property was first developed.

''(IV) Searches for recorded environmental cleanup liens against the facility that are filed under Federal, State, or local law.

''(V) Reviews of Federal, State, and local government records, waste disposal records, underground storage tank records, and hazardous waste handling, generation, treatment, disposal, and spill records, concerning contamination at or near the facility.

''(VI) Visual inspections of the facility and of adjoining properties.

''(VII) Specialized knowledge or experience on the part of the defendant.

''(VIII) The relationship of the purchase price to the value of the property, if the property was not contaminated.

''(IX) Commonly known or reasonably ascertainable information about the property.

''(X) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation.

''(iv) INTERIM STANDARDS AND PRACTICES.—

''(I) PROPERTY PURCHASED BEFORE MAY 31, 1997.—With respect to property purchased before May 31, 1997, in making a determination with respect to a defendant described of clause (i), a court shall take into account—

''(aa) any specialized knowledge or experience on the part of the defendant;

''(bb) the relationship of the purchase price to the value of the property, if the property was not contaminated;

''(cc) commonly known or reasonably ascertainable information about the property;

''(dd) the obviousness of the presence or likely presence of contamination at the property; and

''(ee) the ability of the defendant to detect the contamination by appropriate inspection.

''(II) PROPERTY PURCHASED ON OR AFTER MAY 31, 1997.—With respect to property purchased on or after May 31, 1997, and until the Administrator promulgates the regulations described in clause (ii), the procedures of the American Society for Testing and Materials, including the document known as 'Standard E1527–97', entitled 'Standard Practice for Environmental Site Assessment: Phase 1 Environmental Site Assessment Process', shall satisfy the requirements in clause (i).

''(v) SITE INSPECTION AND TITLE SEARCH.—In the case of property for residential use or other similar use purchased by a nongovernmental or noncommercial entity, a facility inspection and title search that reveal no basis for further investigation shall be considered to satisfy the requirements of this subparagraph.''.

TITLE III—STATE RESPONSE PROGRAMS

SEC. 301. STATE RESPONSE PROGRAMS.

(a) DEFINITIONS.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) (as amended by section 202) is amended by adding at the end the following:

''(41) ELIGIBLE RESPONSE SITE.—

''(A) IN GENERAL.—The term 'eligible response site' means a site that meets the definition of a brownfield site in subparagraphs (A) and (B) of paragraph (39), as modified by subparagraphs (B) and (C) of this paragraph.

''(B) INCLUSIONS.—The term 'eligible response site' includes—

''(i) notwithstanding paragraph (39)(B)(ix), a portion of a facility, for which portion assistance for response activity has been obtained under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) from the Leaking Underground Storage Tank Trust Fund established under section 9508 of the Internal Revenue Code of 1986; or

''(ii) a site for which, notwithstanding the exclusions provided in subparagraph (C) or paragraph (39)(B), the President determines, on a site-by-site basis and after consultation with the State, that limitations on enforcement under section 129 at sites specified in clause (iv), (v), (vi) or (viii) of paragraph (39)(B) would be appropriate and will—

''(I) protect human health and the environment; and

''(II) promote economic development or facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.

''(C) EXCLUSIONS.—The term 'eligible response site' does not include—

''(i) a facility for which the President—

''(I) conducts or has conducted a remedial site investigation; and

''(II) after consultation with the State, determines or has determined that the site qualifies for listing on the National Priorities List;

unless the President has made a determination that no further Federal action will be taken; or

''(ii) facilities that the President determines warrant particular consideration as identified by regulation, such as sites posing a threat to a sole-source drinking water aquifer or a sensitive ecosystem.''.

(b) STATE RESPONSE PROGRAMS.—Title I of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) (as amended by section 101(b)) is amended by adding at the end the following:

''SEC. 129. STATE RESPONSE PROGRAMS.

''(a) ASSISTANCE TO STATES.—

''(1) IN GENERAL.—

''(A) STATES.—The Administrator may award a grant to a State or Indian tribe that—

''(i) has a response program that includes each of the elements, or is taking reasonable steps to include each of the elements, listed in paragraph (2); or

''(ii) is a party to a memorandum of agreement with the Administrator for voluntary response programs.

''(B) USE OF GRANTS BY STATES.—

''(i) IN GENERAL.—A State or Indian tribe may use a grant under this subsection to establish or enhance the response program of the State or Indian tribe.

''(ii) ADDITIONAL USES.—In addition to the uses under clause (i), a State or Indian tribe may use a grant under this subsection to—

''(I) capitalize a revolving loan fund for brownfield remediation under section 128(c); or

''(II) develop a risk sharing pool, an indemnity pool, or insurance mechanism to provide financing for response actions under a State response program.

''(2) ELEMENTS.—The elements of a State or Indian tribe response program referred to in paragraph (1)(A)(i) are the following:

''(A) Timely survey and inventory of brownfield sites in the State.

''(B) Oversight and enforcement authorities or other mechanisms, and resources, that are adequate to ensure that—

''(i) a response action will—

''(I) protect human health and the environment; and

''(II) be conducted in accordance with applicable Federal and State law; and

''(ii) if the person conducting the response action fails to complete the necessary response activities, including operation and maintenance or long-term monitoring activities, the necessary response activities are completed.

''(C) Mechanisms and resources to provide meaningful opportunities for public participation, including—

''(i) public access to documents that the State, Indian tribe, or party conducting the cleanup is relying on or developing in making cleanup decisions or conducting site activities; and

''(ii) prior notice and opportunity for comment on proposed cleanup plans and site activities.

''(D) Mechanisms for approval of a cleanup plan, and a requirement for verification by and certification or similar documentation from the State, an Indian tribe, or a licensed site professional to the person conducting a response action indicating that the response is complete.

''(3) FUNDING.—There is authorized to be appropriated to carry out this subsection $50,000,000 for each of fiscal years 2001 through 2005.

''(b) ENFORCEMENT IN CASES OF A RELEASE SUBJECT TO STATE PROGRAM.—

''(1) ENFORCEMENT.—

''(A) IN GENERAL.— Except as provided in subparagraph (B) and subject to subparagraph (C), in the case of an eligible response site at which—

''(i) there is a release or threatened release of a hazardous substance, pollutant, or contaminant; and

''(ii) a person is conducting or has completed a response action regarding the specific release that is addressed by the response action that is in compliance with the State program that specifically governs response actions for the protection of public health and the environment;

the President may not use authority under this Act to take an administrative or judicial enforcement action under section 106(a) or to take a judicial enforcement action to recover response costs under section 107(a) against the person regarding the specific release that is addressed by the response action.

''(B) EXCEPTIONS.—The President may bring an enforcement action under this Act during or after completion of a response action described in subparagraph (A) with respect to a release or threatened release at an eligible response site described in that subparagraph if—

''(i) the State requests that the President provide assistance in the performance of a response action;

''(ii) the Administrator determines that contamination has migrated or will migrate across a State line, resulting in the need for further response action to protect human health or the environment, or the President determines that contamination has migrated or is likely to migrate onto property subject to the jurisdiction, custody, or control of a department, agency, or instrumentality of the United States and may impact the authorized purposes of the Federal property;

''(iii) after taking into consideration the response activities already taken, the Administrator determines that—

''(I) a release or threatened release may present an imminent and substantial endangerment to public health or welfare or the environment; and

''(II) additional response actions are likely to be necessary to address, prevent, limit, or mitigate the release or threatened release; or

''(iv) the Administrator determines that information, that on the earlier of the date on which cleanup was approved or completed, was not known by the State, as recorded in documents prepared or relied on in selecting or conducting the cleanup, has been discovered regarding the contamination or conditions at a facility such that the contamination or conditions at the facility present a threat requiring further remediation to protect public health or welfare or the environment.

''(C) PUBLIC RECORD.—The limitations on the authority of the President under subparagraph (A) apply only at sites in States that maintain, update not less than annually, and make available to the public a record of sites, by name and location, at which response actions have been completed in the previous year and are planned to be addressed under the State program that specifically governs response actions for the protection of public health and the environment in the upcoming year. The public record shall identify whether or not the site, on completion of the response action, will be suitable for unrestricted use and, if not, shall identify the institutional controls relied on in the remedy. Each State and tribe

receiving financial assistance under subsection (a) shall maintain and make available to the public a record of sites as provided in this paragraph.

''(D) EPA NOTIFICATION.—

''(i) IN GENERAL.—In the case of an eligible response site at which there is a release or threatened release of a hazardous substance, pollutant, or contaminant and for which the Administrator intends to carry out an action that may be barred under subparagraph (A), the Administrator shall—

''(I) notify the State of the action the Administrator intends to take; and

''(II)(aa) wait 48 hours for a reply from the State under clause (ii); or

''(bb) if the State fails to reply to the notification or if the Administrator makes a determination under clause (iii), take immediate action under that clause.

''(ii) STATE REPLY.—Not later than 48 hours after a State receives notice from the Administrator under clause (i), the State shall notify the Administrator if—

''(I) the release at the eligible response site is or has been subject to a cleanup conducted under a State program; and

''(II) the State is planning to abate the release or threatened release, any actions that are planned.

''(iii) IMMEDIATE FEDERAL ACTION.—The Administrator may take action immediately after giving notification under clause (i) without waiting for a State reply under clause (ii) if the Administrator determines that 1 or more exceptions under subparagraph (B) are met.

''(E) REPORT TO CONGRESS.—Not later than 90 days after the date of initiation of any enforcement action by the President under clause (ii), (iii), or (iv) of subparagraph (B), the President shall submit to Congress a report describing the basis for the enforcement action, including specific references to the facts demonstrating that enforcement action is permitted under subparagraph (B).

''(2) SAVINGS PROVISION.—

''(A) COSTS INCURRED PRIOR TO LIMITATIONS.—Nothing in paragraph (1) precludes the President from seeking to recover costs incurred prior to the date of enactment of this section or during a period in which the limitations of paragraph (1)(A) were not applicable.

''(B) EFFECT ON AGREEMENTS BETWEEN STATES AND EPA.—Nothing in paragraph (1)—

''(i) modifies or otherwise affects a memorandum of agreement, memorandum of understanding, or any similar agreement relating to this Act between a State agency or an Indian tribe and the Administrator that is in effect on or before the date of enactment of this section (which agreement shall remain in effect, subject to the terms of the agreement); or

''(ii) limits the discretionary authority of the President to enter into or modify an agreement with a State, an Indian tribe, or any other person relating to the implementation by the President of statutory authorities.

''(3) EFFECTIVE DATE.—This subsection applies only to response actions conducted after June 8, 2000.

''(c) EFFECT ON FEDERAL LAWS.—Nothing in this section affects any liability or response authority under any Federal law, including—

''(1) this Act, except as provided in subsection (b);

''(2) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

''(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

''(4) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.); and

''(5) the Safe Drinking Water Act (42 U.S.C. 300f et seq.).''.

SEC. 302. ADDITIONS TO NATIONAL PRIORITIES LIST.

Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605) is amended by adding at the end the following:

''(h) NPL DEFERRAL.—

''(1) DEFERRAL TO STATE VOLUNTARY CLEANUPS.—At the request of a State and subject to paragraphs (2) and (3), the President generally shall defer final listing of an eligible response site on the National Priorities List if the President determines that—

''(A) the State, or another party under an agreement with or order from the State, is conducting a response action at the eligible response site—

''(i) in compliance with a State program that specifically governs response actions for the protection of public health and the environment; and

''(ii) that will provide long-term protection of human health and the environment; or

''(B) the State is actively pursuing an agreement to perform a response action described in subparagraph (A) at the site with a person that the State has reason to believe is capable of conducting a response action that meets the requirements of subparagraph (A).

''(2) PROGRESS TOWARD CLEANUP.—If, after the last day of the 1-year period beginning on the date on which the President proposes to list an eligible response site on the National Priorities List, the President determines that the State or other party is not making reasonable progress toward completing a response action at the eligible response site, the President may list the eligible response site on the National Priorities List.

''(3) CLEANUP AGREEMENTS.—With respect to an eligible response site under paragraph (1)(B), if, after the last day of the 1-year period beginning on the date on which the President proposes to list the eligible response site on the National Priorities List, an agreement described in paragraph (1)(B) has not been reached, the President may defer the listing of the eligible response site on the National Priorities List for an additional period of not to exceed 180 days if the President determines deferring the listing would be appropriate based on—

''(A) the complexity of the site;

''(B) substantial progress made in negotiations; and

''(C) other appropriate factors, as determined by the President.

''(4) EXCEPTIONS.—The President may decline to defer, or elect to discontinue a deferral of, a listing of an eligible response site on the National Priorities List if the President determines that—

''(A) deferral would not be appropriate because the State, as an owner or operator or a significant contributor of hazardous substances to the facility, is a potentially responsible party;

''(B) the criteria under the National Contingency Plan for issuance of a health advisory have been met; or

''(C) the conditions in paragraphs (1) through (3), as applicable, are no longer being met.''.

Mr. LAUTENBERG. Mr. President, I'm very pleased to announce that, after months of very hard work, we have bipartisan legislation which will clean up and redevelop the abandoned industrial sites known as Brownfields—S. 2700, the Brownfields Revitalization and Environmental Restoration Act of 2000.

I first introduced Brownfields legislation in the Senate in 1993, in the hopes of both protecting public health, and addressing the problems of blighted areas. Since that time, it has become clear that there are even more reasons to address Brownfields than we originally thought. In fact, there are few environmental issues which cut across so many problems and offer so many solutions.

Mr. President, Brownfields threaten the health of our citizens—and the economic health of communities across the country, by leading to abandoned inner cities, increased crime, loss of jobs and declining tax revenues. Brownfields also lead to urban sprawl, loss of farmland, increased traffic and air pollution and loss of historic districts in older urban centers.

But once they're cleaned up and made useful again, they also represent tremendous potential in new jobs and a cleaner environment. Now, finally, we have a bipartisan plan to achieve those goals.

The legislation we're introducing today provides federal money to investigate and clean up Brownfields sites. State and local governments would use this money to determine which sites pose environmental problems, to decide which redevelopment options hold the greatest promise, and most important, to get these sites cleaned up.

Second, the legislation promises important private investments in the cleanup effort—by providing liability protection for people interested in buying and cleaning up these sites and for people who bought a Brownfields site without knowing it was contaminated. It also removes potential liability for parties who own property which becomes contaminated through no fault of their own, from hazardous substances from an adjacent site. These liability limitations and clarifications will help innocent parties and provide incentives to get these properties cleaned up and back into use.

Third, this bill does several new and positive things for communities and for the environment. For the first time, it creates a public record of Brownfield sites handled under state programs, because the public has a right to know what's happening at the sites near their homes. And it is the first Brownfields bill to provide funding not just to assist in redevelopment projects, but also to provide assistance to state and local governments to create and preserve open space, parklands and other recreational areas in former Brownfields sites.

Finally, the bill gives states incentives and funding to develop state programs to clean up their Brownfield sites quickly and safely. It has provisions to encourage cooperation and coordination between the federal and state governments, both of whom play an active role in cleaning up these sites and protecting the citizens. The bill strikes a delicate balance. It provides deference to state cleanup programs but still ensures that the federal superfund program will be able to come in

and address problems when a site poses a serious problem.

The Brownfields cleanup and redevelopment strategy in this legislation is comprehensive. It's fiscally responsible. And it will improve the quality of life for people throughout the country. It promises thousands of new jobs and millions in new tax revenue. It promises increased momentum for smart growth, which means cleaner air and less congested roads.

It promises a new focus on revitalizing downtown areas, which will reduce urban sprawl, lower rates and protect parkland and open space. I come from the most densely populated state in this country, and I understand the importance of protecting open space.

Mr. President, the nation's mayors estimate that Brownfields cost between $200 million and $500 million a year in lost tax revenues. Returning these sites to productive use could create some 236,000 new jobs.

Just look at the progress we've made even over the last few years. Grants from the EPA to aid in cleaning up Brownfields sites have helped generate more than 5,800 jobs and about $1.8 billion in revenues. In New Jersey alone, we've rescued more than 1,000 Brownfields sites, replacing polluted lagoons with office centers and covering abandoned rail yards with condominium complexes.

These successes benefit everyone—both environmentally and economically. Which is why this legislation has strong support from both Democrats and Republicans.

Mr. President, in the 1960s, this country turned its attention away from downtown areas and started focusing on the suburbs. We see now what that got us: clogged highways, overcrowded airports, and increased pollution.

It's time to turn that trend around. And that's exactly what this legislation will do. I also want to thank my three colleagues for their determination and hard work in hammering out this compromise. Senator SMITH, our new Chairman, has really reached out to all members of the Committee to try to craft good environmental legislation.

Senator BAUCUS, the Democratic leader on our Committee, has been a stalwart advocate for a good Superfund program and a compromise Brownfields bill. We have fought many battles together over the years. Finally, Senator CHAFEE has shown great courage and energy, bringing us together to do what was once unthinkable, a Superfund related bill that has bipartisan support. I look forward to working with all of them to ensure that this bill is signed into law. Thank you. Following is a summary of the bill.

BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION ACT OF 2000 (S. 2700)—KEY PROVISIONS

Provides critically needed funds to assess and clean up abandoned and underutilized brownfield sites, which will create jobs, increase tax revenues, preserve and create open space and parks;

Provides legal protections for innocent parties, such as contiguous property owners, prospective purchasers, and innocent landowners;

Provides for funding and enhancement of state cleanup programs, including limits where appropriate on enforcement by the federal government at sites cleaned up under a State response program. Provides a balance of certainty for prospective purchasers, developers and others while ensuring protection of the public health.

Creates a public record of brownfield sites and enhances community involvement in site cleanup and reuse.

Provides for deferral of listing sites on the National Priorities List if the state is taking action at the site.

TITLE I: BROWNFIELD REVITALIZATION FUNDING

Authorizes $150 million per year, for fiscal years 2001–2005, for grants to local governments, States and Indian tribes to inventory, assess and cleanup contaminated brownfield sites, either through establishing a Revolving Loan Fund or, in some circumstances, by giving a grant. Provides criteria to be used in awarding these funds, including the extent to which the money will protect human health, spur redevelopment and create jobs, preserve open space and parks, and represent a fair distribution of money between urban and rural areas.

TITLE II: BROWNFIELD LIABILITY CLARIFICATIONS

Contiguous Property Owners—Generally provides Superfund liability relief for innocent persons who own property that is contaminated solely due to a release from another property, so long as the person did not cause or contribute to the release, and provide cooperation and access for the cleanup.

Prospective Purchases—Generally provides Superfund liability relief for innocent future buyers of brownfields who are responsible for contamination and do not impede the cleanup of the site, make all appropriate inquiry prior to purchase, exercise appropriate care with respect to hazardous substances, and provide cooperation and access to persons cleaning up the site. The bill also provides for ''windfall liens'' at sites where the government pays for the cleanup, and the fair market value was enhanced by that effort.

Innocent Landowners—Clarifies relief from Superfund liability for landowners who had no reason to know of contamination at the time of purchase, despite having made all appropriate inquiry into prior ownership and use of the facility. Provides certainty to parties by clarifying what needs to be done to satisfy the ''appropriate inquiry'' requirement in the current statute.

TITLE III: STATE RESPONSE PROGRAMS

Authorizes $50 million per year in fiscal years 2001–2005 for grants to states and Indian tribes to establish and enhance their cleanup programs, when the programs meet are making progress toward meeting general criteria, such as protection of human health and providing public involvement.

Provides deference to state programs and provides additional ''certainty'' to persons who conduct cleanups under state programs by placing restrictions on the authority of the Administrator to take an enforcement action under the federal Superfield law, while preserving the President's ability to address serious problems.

Provides for states to keep a public record of sites, in the state program to be eligible for the bar on federal enforcement. This record will provide the public with critical information about the sites in their neighborhoods.

Provides a deferral for listing sites on the federal Superfund list if the site is being adequately handled by the state program.

Mr. SMITH of New Hampshire. Today, the chairman of the Committee on Environment and Public Works, ranking minority member of the committee, chairman of the Subcommittee on Superfund, and ranking minority member of the subcommittee, have come together to introduce a bill that protects the environment, encourages community involvement, promotes economic redevelopment, encourages the preservation of green spaces, and sets the stage for future efforts of comprehensive Superfund reform.

As a nation, our industrial heritage has left us with numerous contaminated abandoned or underutilized ''brownfield'' sites. Although the level of contamination at many of these sites is relatively low, and the potential value of the property may be quite high, developers often shy away from developing these sites. One reason for this is uncertainty regarding the extent of contamination, the extent of potential liability, or the potential costs of cleanup.

With the introduction of the Brownfield Revitalization and Environmental Restoration Act of 2000, we focus on the uncertainty facing developers, property owners, and communities as to the status of low-risk contaminated sites.

At the beginning of this Congress, Administrator Browner and Assistant Administrator of Office of Solid Waste and Emergency Response, Tim Fields, testified that EPA was interested in pursuing legislative reform only in some narrow property owner areas and in brownfields. We have worked to address their suggestions and hope that in the future they can work with us to address a broader comprehensive Superfund effort.

Concerns exist for some Committee members that taking brownfields out of a comprehensive Superfund reform package will jeopardize future Superfund reform. Although I agree with my colleagues that comprehensive reform is needed, I feel that we can move forward with brownfield legislation without compromising comprehensive reform. 450,000 brownfield sites exist in the United States. These sites are low risk sites and are not the traditional Superfund sites that would be affected by comprehensive Superfund reform. If States and citizens are discouraged from cleaning up these sites, continuing the barriers to redevelopment, these sites may someday become Superfund sites.

As brownfield sites are outside of the scope of Superfund, I believe that liability carve-outs are outside of the scope of any brownfields legislation. As I have in the past, I continue to oppose narrow carve-outs. Carveouts weaken attempts at overhauling the remedy selection and liability allocation provisions in the current Superfund statute and, frankly, make a bad system worse. This brownfield legislation does not affect the allocation of liability at Superfund sites, instead, it provides

needed resources to address sites, provides certainty to those who voluntarily cleanup, and prevents brownfields from being included in the Superfund web. Brownfield legislation presents a win-win for all involved and should jumpstart action on substantive Superfund reform in the next Congress.

This is a new era of environmental and infrastructure legislation. Since we have been paying down the debt, we are now able to return money to local communities to help them solve environmental problems and are encouraging partnerships are between federal entities, States, and local communities. It is an exciting time to be working and investing in our environment.

Mr. BAUCUS. Mr. President, I am pleased to join Senators CHAFEE, LAUTENBERG, and SMITH in introducing the Brownfields Revitalization and Environmental Restoration Act. This bill is a ''win-win.'' It is good for the environment. It is good for communities. And it is good for the economy. More hazardous waste sites will be cleaned up. We'll have more parks and open space, more economic redevelopment, and more jobs.

I'd like to emphasize that this is not just an east-coast, big city bill. Montana may not have as many brownfields as some of our more industrialized and densely-populated states, but our economic history has left us with our share. Wood treatment facilities. Railroad yards. Sawmills. Getting these sites remediated and back in use makes good sense in Montana and throughout the country.

The Brewery Flats site outside Lewistown is a perfect example of a place where this bill can really make a difference in Montana. This 57 acre site is located on the Big Spring Creek flood plain, two miles south of Lewistown. It is a railroad site, consisting of a former branch line, railroad switching yard, and roundhouse locomotive service facility. Chicago-Milwaukee railroad operated the site, then sold it to Burlington Northern. The city would like to acquire the site and convert it to recreational and educational uses. The owner is willing to transfer the land to the city, but the city needs to have a more complete understanding of the extent of the contamination before moving acquiring the land and undertaking a cleanup.

The site has outstanding potential to enhance the community. It is adjacent to land on the Big Spring Creek that is owned by Montana Fish and Wildlife, so cleaning it up will allow the expansion of existing open space. Big Spring Creek itself is a blue-ribbon trout stream, and the Brewery Flats site boasts several wetland areas. Local students have planted trees in the area, and the educational and recreational potential of these adjacent sites is excellent.

Lewistown has worked hard to utilize existing programs and resources. Montana DEQ performed some initial sampling on the site several years ago. More recently, EPA conducted a targeted site assessment, which revealed light contamination on half of the site, and more extensive contamination near the roundhouse. Although EPA did not find anything alarming, the assessment is a first cut, and the city does not feel comfortable taking ownership of the property before more extensive sampling is done. Lacking the resources to do this work, Lewistown has applied for an EPA brownfields ''showcase communities'' grant. This process is still pending. In addition, the city has applied to the Montana DNRC for a cleanup grant.

The brownfields bill could greatly help Lewistown acquire and clean up Brewery Flats. And it could do the same for hundreds of sites in Montana and thousands around the country, by providing funding for brownfields revitalization programs, by giving liability protection in certain cases, and by providing funding and increased authority to state brownfields cleanup programs.

Let me explain each of these provisions.

Title I of the bill authorizes funding to states, tribes and local government to inventory, assess, and remediate brownfield sites. Funding is particularly critical for sites that will be used for non-profit purposes, such as parks. In some cases, it is also needed to fill gaps in private financing at sites that will be redeveloped for commercial use. To make the funding as effective as possible, it is structured to provide states, tribes and local governments the flexibility to utilize the brownfields money and EPA's capacity in the way that best suits their particular needs.

For site assessment, states, tribes and local governments can seek grants from EPA. For remediation, governments that wish to establish a program can seek grants to capitalize revolving loan funds for remediation. Out of these revolving loan funds, they can then provide loans, and grants to public and nonprofit entities, for remediation. Governments that do not wish to establish revolving loan funds, on the other hand, can seek grants from EPA for specific remediation projects. In addition, Title I authorizes EPA to conduct brownfields-related technical assistance and job training and facilitate community participation.

This package of funding and EPA authority builds on the successes of EPA's existing brownfields program, and strengthens it by adding increased flexibility. To serve all of these purposes, Title I authorizes $150 million per year for five years. I note that, at my urging, the bill includes mine-scarred lands in the definition of brownfields and contains a provision that will ensure that funds are distributed fairly between urban and rural areas.

Turning to Title II of the bill, Superfund's critics have long argued that the threat of Superfund liability has been a drag on the redevelopment of brownfields sites. Title II addresses this problem by protecting several classes of persons from Superfund liability. It protects contiguous property owners, whose property has been contaminated solely by migration of contamination from contiguous property. It protects bona fide prospective purchasers, who exercise appropriate care when purchasing property and did not contribute to any existing contamination. And it protects innocent landowners, who did not have reason to know of and did not contribute to contamination of property they already own.

These provisions make Superfund more fair, and will promote brownfields redevelopment by providing certainty to property owners and developers about what they need to do to avoid Superfund liability.

Title III clarifies the relationship between state cleanup programs and EPA's Superfund program. Superfund critics have long argued that the possibility that EPA could second-guess state-approved cleanups has discouraged brownfields remediation. At the same time, I and other have argued that we need to preserve the federal government's ability to use Superfund authorities to deal with dangerous situations at sites cleaned up under state programs in the rare case in which the cleanup is inadequate and there is a threat to human health or the environment.

The tension between these two views has been one of the major obstacles to moving brownfields legislation in the past. This bill forges a new compromise on this issue, one that should appeal to both sides in the debate. On the one hand, it gives more certainty to those who clean up brownfield sites under state programs. On the other hand, it preserves EPA's ability to use Superfund authorities to address serious problems.

Mr. President, putting these changes all together, the bill will expedite cleanups at Brewery Flats and all across the country. That, again, is good for the environment, good for communities, and good for the country.

One final point. This bill reflects a moderate, bipartisan, compromise. It shows that we can roll up our sleeves and resolve our differences.

For that, I complement the new chairman of the Environment and Public Works Committee, Senator SMITH, and the chairman of the Superfund Subcommittee, Senator CHAFEE. They've done a great job.

I'd also like to pay a special complement to the ranking member of the Subcommittee, Senator LAUTENBERG. He has accomplished many things during his 18 years in the Senate. One of the most important has been his leadership on environmental issues. More than anyone else, he has protected, and improved, the Superfund program.

If we enact the Chafee-Lautenberg bill this year, and I believe we can, it

will be a fitting capstone to his Senate career.

By Mr. WYDEN (for himself, Mr. DEWINE and Mr. ROCKEFELLER):

S. 2701. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for donations of computers to senior centers, to require a pilot program to enhance the availability of Internet access for older Americans, and for other purposes; to the Committee on Finance.

INTERNET ACCESS FOR SENIORS ACT OF 2000

Mr. WYDEN. Mr. President, today, the opportunity to live a healthy and productive life can be enriched by something new: access to the Internet. But according to a 1999 Forrester Research report, only 8 percent of seniors age 65 and above have Internet access compared to 40 percent of the population under age 65. According to an unpublished Department of Commerce study, the percentage of low-income seniors with Internet access is even less: only 1.5 percent. My bill, the Internet Access for Seniors Act of 2000, will help narrow this digital divide between seniors and the rest of the population. I am pleased to be joined by Senators DEWINE and ROCKEFELLER in introducing this bill.

A recent study by Stanford's Institute for the Quantitative Study of Society shows the digital divide among different demographic groups. The variables are age, education, gender, race, ethnicity, and income. It shows that by far the most important factors facilitating or inhibiting Internet access are age and education—not income, not race, not ethnicity, and not gender. According to the study's authors, these variables account for less than 5 percent of the change in the rates of Internet access and are statistically insignificant. In contrast, and I quote, ''a college education boosts rates of Internet access by well over 40 percentage points compared to the less educated group, while people over 65 show a more than 40 percentage point drop in their rates of Internet access compared to those under 25.''

Ironically, seniors, who have more limited access to the Internet, can benefit more from Internet access than others because, in addition to a digital divide, they suffer from a transportation divide. The ability to travel from one place to another is vital to our daily lives. In fact, good transportation access is vital for many of the same reasons as good Internet access. But seniors are the least mobile demographic segment of our adult population. One way that people cope with poor access to telecommunications is to rely on transportation. But seniors lack this coping mechanism. In other words, if any demographic group in our society actually needs superior access to the Internet, it is seniors.

Our society has long recognized that access to certain kinds of information is a public good. That is why we have schools and libraries, and it is why we have the E-rate, which provides Internet access to schools and libraries. Until now, however, senior centers have been left out of the mix. Some may say, ''Why don't seniors go to the library to get Internet access?'' Many seniors prefer to go to senior centers because they are specifically designed to serve their needs. For example, senior centers routinely provide some type of special transportation for seniors to get to and from the senior centers. Asking libraries to take on the added cost of providing such transportation is clearly less desirable from a cost—not to mention logistical—standpoint. When a senior makes the effort to get to a senior center, he can take advantage of a half dozen services specifically designed to serve his needs, and it seems wasteful to ask libraries to take on those additional services.

There are many ways seniors can benefit from Internet access: taking courses, finding a job, becoming better-informed citizens, and shopping for essential goods and services. One application, access to health information, is obviously essential to seniors and is also an area of great interest to me.

Mr. President, there is an explosion of useful health information being made available over the Internet. According to a recent front page New York Times story, there are now more than 100,000 healthcare websites available on the Internet. Health information is being made available on the Internet because consumers demand it.

There are many reasons seniors may prefer to get health information over the Internet rather than in person.

Some seniors may not want to wait until their next doctor appointment before finding out more about their ailment. For example, if a senior gets a diagnosis of cancer, she may not want to wait to find out more about the seriousness of her condition and the options available.

Some seniors may find a trip to the clinician's office an onerous and often all-day activity. Clearly the ability to communicate with a clinician without making a special trip—and at odd hours—would be of great benefit. Recognizing these needs, some HMOs already allow seniors to communicate with their caregiver via the Internet to request relatively routine services such as a dosage change. This also saves on Medicare costs.

Some seniors may want to talk to other people who share their condition. For example, most medical websites now have chat rooms where fellow sufferers can get together to share information about new treatment options and day-to-day tips for coping with specific conditions. These sites also provide advice and support to the spouses and other caregivers who must care for victims of Alzheimer's, heart disease, cancer, and other afflictions of the elderly.

My legislation is designed to bring senior centers, particularly those in low-income or rural areas, into the digital age. I chose senior centers as a vehicle to alleviate the digital divide for seniors because these centers serve large numbers of seniors, especially the disadvantaged seniors targeted by this bill. Unfortunately, there are no national statistics regarding how many senior centers have computers with Internet access accessible to seniors. However, my office did a survey of Oregon senior centers. We found that 52 percent lacked access to computers and that 71 percent lacked access to the Internet. In many cases, the quality of computers and Internet access was low. Many computers were at least five years old. Some were ten or more years old. Internet connections were often made with older versions of browsers that could not access contemporary web sites.

My bill has two major components. The first provides a tax credit for individuals and organizations that contribute computer equipment to senior centers. The second creates a pilot program, called the S-rate, to provide subsidies for qualified low-income or rural senior centers to access the Internet.

The tax credit, essentially identical to the tax credit for computer equipment donated to schools passed March 1 of this year in the New Millennium Classrooms Act, is equal to 30 percent of the fair market value of the donated computer equipment. To receive the tax deduction, the computer equipment must be three years old or less. For donations to senior centers located within empowerment zones, enterprise communities, and Indian reservations, the tax credit is increased to 50 percent. The tax deduction is terminated for taxable years beginning three years after the date of enactment of this act, and we impose a limit of 10 computers per senior center.

The S-rate covers up to 90 percent of the costs associated with Internet access to senior centers. Covered costs include computers, software, training, and maintenance. Our bill seeks to narrow the increasingly important divide between information haves and have-nots in our society. Our bill is only a pilot program that will invest $10 million a year in getting our seniors online. The program sunsets after 3 years.

The Secretary of the Department of Commerce will administer the S-rate. In selecting among eligible senior centers, the Secretary will consider the senior center's need and proposed applications. Need includes the number of seniors served by the senior center, the extent to which the senior center already provides Internet access, and the extent to which the senior center serves an area with a high percentage of low-income or rural individuals. Applications include health information, job training, lifelong education, and any other applications that fulfill an important social need.

One of the Secretary's tasks is to develop enabling tools for the senior centers. For example, the Secretary could offer an array of fill-in-the-blank web

templates to make it easy for senior centers to post information on the web and create their own home pages. The Secretary could provide information to senior centers about privacy concerns, especially regarding sensitive matters such as health information. The Secretary could suggest minimum standards for web hosting services seeking to serve senior centers.

One of the wonderful things about the Internet is the ability of one site to learn from another. The Secretary could create a web-based clearinghouse of all the senior centers funded under the pilot program. Innovative and outstanding web-based services could be specially marked so that other senior centers could quickly learn from the best practices of others. The Secretary could set up a technical chat room so that senior center administrators, in their role as webmasters, could share concerns and ideas. The Secretary could set up an Internet hotline for oversight; that is, to be alerted if an administrator doesn't use the S-rate for its stated purpose. And because the Internet can be used for distance education and online help, the Secretary could fund some senior centers to train other senior citizens.

Let me close with one further thought. Closing the digital divide for seniors is not just about social justice; it's also about basic dollars and cents. Consider this: according to the National Institute of Aging, more than two-thirds of every healthcare dollar—much of it government funded—goes to seniors. If we can empower seniors to be wise health consumers, we can use market mechanisms, rather than government red tape, to make sure that seniors get the healthcare they need. The Internet now offers that opportunity. Let's not squander it.

I ask unanimous consent that my statement and a copy 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. 2701

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Internet Access for Seniors Act of 2000''.

SEC. 2. CREDIT FOR COMPUTER DONATIONS TO SENIOR CENTERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following:

''SEC. 45D. CREDIT FOR COMPUTER DONATIONS TO SENIOR CENTERS.

''(a) GENERAL RULE.—For purposes of section 38, the computer donation credit determined under this section is an amount equal to 30 percent of the qualified computer contributions made by the taxpayer during the taxable year as determined after the application of section 170(e)(6)(A).

''(b) QUALIFIED COMPUTER CONTRIBUTION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified computer contribution' has the meaning given the term 'qualified elementary or secondary educational contribution' by section 170(e)(6)(B), except that—

''(A) clause (ii) of such section shall be applied by substituting '3 years' for '2 years',

''(B) clause (iii) of such section shall be applied by inserting ', the person from whom the donor reacquires the property,' after 'the donor', and

''(C) notwithstanding clauses (i) and (iv) of such section, such term shall include the contribution of computer technology or equipment to eligible senior centers to be used by individuals who have attained 60 years of age to improve job skills in computers.

''(2) ELIGIBLE SENIOR CENTER.—

''(A) IN GENERAL.—The term 'eligible senior center' means any facility which is eligible—

''(i) to receive funding as a senior center under title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.), and

''(ii) to receive the qualified computer contribution as determined under subparagraph (B).

''(B) ELIGIBILITY TO RECEIVE CONTRIBUTION.—For purposes of subparagraph (A)(ii), a senior center is eligible to receive a qualified computer contribution in any calendar year if such contribution when added to all preceding qualified computer contributions for such year does not result in such center receiving more than 10 computers through such contributions.

''(c) INCREASED PERCENTAGE FOR CONTRIBUTIONS TO ENTITIES IN EMPOWERMENT ZONES, ENTERPRISE COMMUNITIES, AND INDIAN RESERVATIONS.—In the case of a qualified computer contribution to an entity located in an empowerment zone or enterprise community designated under section 1391 or an Indian reservation (as defined in section 168(j)(6)), subsection (a) shall be applied by substituting '50 percent' for '30 percent'.

''(d) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of paragraphs (1) and (2) of section 41(f) shall apply.

''(e) TERMINATION.—This section shall not apply to taxable years beginning on or after the date which is 3 years after the date of the enactment of the Internet Access for Seniors Act of 2000.''.

(b) CURRENT YEAR BUSINESS CREDIT CALCULATION.—Section 38(b) of the Internal Revenue Code of 1986 (relating to current year business credit) is amended by striking ''plus'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', plus'', and by adding at the end the following:

''(13) the computer donation credit determined under section 45D(a).''.

(c) DISALLOWANCE OF DEDUCTION BY AMOUNT OF CREDIT.—Section 280C of the Internal Revenue Code of 1986 (relating to certain expenses for which credits are allowable) is amended by adding at the end the following:

''(d) CREDIT FOR COMPUTER DONATIONS.—No deduction shall be allowed for that portion of the qualified computer contributions (as defined in section 45D(b)) made during the taxable year that is equal to the amount of credit determined for the taxable year under section 45D(a). In the case of a corporation which is a member of a controlled group of corporations (within the meaning of section 52(a)) or a trade or business which is treated as being under common control with other trades or businesses (within the meaning of section 52(b)), this subsection shall be applied under rules prescribed by the Secretary similar to the rules applicable under subsections (a) and (b) of section 52.''.

(d) LIMITATION ON CARRYBACK.—Subsection (d) of section 39 of the Internal Revenue Code of 1986 (relating to carryback and carryforward of unused credits) is amended by adding at the end the following:

''(9) NO CARRYBACK OF COMPUTER DONATION CREDIT BEFORE EFFECTIVE DATE.—No amount of unused business credit available under section 45D may be carried back to a taxable year beginning on or before the date of the enactment of this paragraph.''.

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 45C the following:

''Sec. 45D. Credit for computer donations to senior centers.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

SEC. 3. PILOT PROGRAM FOR ENHANCED INTERNET ACCESS FOR OLDER AMERICANS.

(a) REQUIREMENT.—

(1) IN GENERAL.—The Secretary of Commerce shall, in consultation with the Secretary of Health and Human Services, carry out a pilot program to enhance the availability of Internet access for older Americans. The pilot program shall meet the requirements of this section.

(2) DISCHARGE OF RESPONSIBILITIES.—The Secretary of Commerce shall carry out the pilot program through the Assistant Secretary of Commerce for Communications and Information, and the Secretary of Health and Human Services shall consult with the Secretary of Commerce under the pilot program through the Assistant Secretary for Aging of the Department of Health and Human Services.

(b) PARTICIPATION OF SENIOR CENTERS.—

(1) IN GENERAL.—The Secretary of Commerce shall select senior centers for participation in the pilot program under this section from among senior centers.

(2) APPLICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each senior center seeking to participate in the pilot program shall submit to the Secretary an application for participation in the pilot program containing such information as the Secretary shall require.

(B) APPLICATIONS FOR SEVERAL CENTERS.—An entity consisting of or operating two or more senior centers may submit a single application under this paragraph on behalf of such senior centers that seek to participate in the pilot program.

(3) SELECTION OF SENIOR CENTERS.—In selecting a senior center for participation in the pilot program, the Secretary take into account the following:

(A) The extent to which the senior center already provides Internet access for older individuals.

(B) The extent to which the senior center serves an area with a high percentage of low-income older individuals, a rural area, or both such areas.

(C) The number of older individuals who will be provided Internet access as a result of the participation of the senior center in the pilot program.

(D) The extent to which the participation of the senior center in the pilot program will result in the receipt by older individuals of health or education information or job training through the Internet.

(c) GRANTS.—

(1) IN GENERAL.—

(A) IN GENERAL.—The Secretary of Commerce shall make grants to senior centers selected by the Secretary under subsection (b) for participation in the pilot program under this section.

(B) RECIPIENT OF CERTAIN GRANTS.—If the senior centers selected by the Secretary include senior centers covered by an application under subsection (b)(2)(B), the Secretary shall make the grant to such centers as a single grant through the entity submitting the application under that subsection.

(2) AMOUNT OF GRANTS.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary shall determine the amount of the grant to be made to each senior center selected to participate in the pilot program.

(B) LARGER AMOUNTS FOR CERTAIN CENTERS.—The Secretary shall, to the maximum extent practicable, make grants in larger amounts to senior centers selected to participate in the pilot program that serve areas with a high percentage of low-income older individuals, rural areas, or both such areas.

(C) ANNUAL LIMIT.—The amount of the grant made to a given senior center in any year may not exceed $25,000.

(d) USE OF GRANT AMOUNTS.—

(1) IN GENERAL.—A senior center receiving a grant under the pilot program under this section shall use the amount of the grant to cover or defray the costs of the senior center in making available Internet access to or for older individuals at or through the facilities of the senior center, including costs relating to telecommunications services, Internet access, internal connections, computers, input and output devices, software, training, and operations and maintenance.

(2) LIMITATION ON PERCENTAGE OF COSTS COVERED BY GRANT.—

(A) IN GENERAL.—The Secretary shall specify in each grant to a senior center selected to participate in the pilot program the maximum percentage of the costs of the senior center that may be covered or defrayed by such grant.

(B) HIGHER PERCENTAGE FOR CERTAIN CENTERS.—In specifying maximum percentages under this paragraph, the Secretary shall, to the maximum extent practicable, specify higher percentages for senior centers serving areas with a high percentage of low-income older individuals, rural areas, or both such areas.

(C) MAXIMUM PERCENTAGE.—The highest maximum percentage that may be specified by the Secretary under this paragraph shall be 90 percent.

(3) ADDITIONAL LIMITATION ON USE OF FUNDS.—Amounts received by a senior center under a grant under subsection (c) may not be used for any administrative purpose unless such purpose relates directly to the participation of the senior center in the pilot program under this section.

(e) DURATION.—

(1) COMMENCEMENT.—The Secretary of Commerce shall commence the pilot program under this section as soon as practicable after the date of the enactment of this Act.

(2) TERMINATION.—The Secretary may not make any grant under the pilot program after the date that is three years after the commencement of the pilot program under paragraph (1).

(f) REPORT.—

(1) REQUIREMENT.—Not later than two years after the commencement of the pilot program under subsection (e)(1), the Secretary of Commerce shall submit to Congress a report on the pilot program.

(2) ELEMENTS.—The report under paragraph (1) shall set forth the following:

(A) An estimate of the cost per senior center of making available Internet access to or for older individuals at or through senior centers in rural areas and in non-rural areas, including a separate estimate of the cost of—

(i) purchasing computers and associated hardware;

(ii) purchasing software;

(iii) purchasing and installing internal connections;

(iv) subscribing to Internet and telecommunications services at narrowband data rates; and

(v) operating and maintaining the systems which provide such access.

(B) An assessment of the extent to which computers and Internet access are currently available to or for older individuals at or through senior centers in the United States, including—

(i) a comparison of the availability of computers and Internet access at or though senior centers in rural areas with the availability of computers and Internet access at or through senior centers in non-rural areas; and

(ii) a comparison of the availability of computers and Internet access at or through senior centers that serve a high percentage of low-income older individuals with the availability of computers and Internet access at or through senior centers that do not serve a high percentage of low-income older individuals.

(C) A proposal for a program to provide additional subsidies or assistance to enhance the availability of Internet access to or for older individuals, under which program—

(i) all senior centers would be eligible for such subsidies or assistance; and

(ii) priority would be given in the provision of such subsidies or assistance to senior centers that serve a high percentage of low-income older individuals or are located in rural areas.

(D) An estimate of the annual cost of the program proposed under subparagraph (C).

(g) DEFINITIONS.—In this section:

(1) LOW-INCOME OLDER INDIVIDUAL.—The term ''low-income older individual'' means an older individual whose income level is at or below the poverty line (as that term is defined in section 102(41) of the Older Americans Act of 1965 (42 U.S.C. 3002(41)).

(2) OLDER INDIVIDUAL.—The term ''older individual'' has the meaning given that term in section 102(38) of the Older Americans Act of 1965 (42 U.S.C. 3002(38)).

(3) SENIOR CENTER.—The term ''senior center'' means any facility that is eligible to receive funding as a senior center under title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.).

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated $30,000,000 for purposes of the pilot program required by this section.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.●

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

S. 2702. A bill to require reports on the progress of the Federal Government in implementing Presidential Decision Directive No. 63 (PDD–63); to the Committee on Armed Services.

REPORTING PROGRESS ON IMPLEMENTING PRESIDENTIAL DECISION DIRECTIVE NO. 63 (PDD–63)

● Mr. BENNETT. Mr. President, I rise today to introduce legislation with Senator SCHUMER. I wanted to thank my colleague and his staff for their hard work and full partnership in arriving at what I believe is a critical first step to insuring this nation's security in a world of growing cyber threats. I have been concerned for some time now that Presidential Decision Directive 63 (PDD 63) does not clearly define a role for the Department of Defense (DOD). In one sentence, PDD 63 states that the DOD is assigned the role of ''defense'' but does not elaborate on how it will accomplish this vague assignment. Our legislation will require that the DOD begin the thinking process of how it is integrating its different capabilities and assets into an ''indications and warning architecture.'' Each of the Services is developing its individual information warfare capabilities at this moment, and it is not clear how they are being integrated or coordinated. The DOD was supposed to report on the future of the National Communications System (NCS) in 1996 and 1997, but as far as I know that report was never completed. NCS has been identified as a unique public-private partnership with major telephone carriers and information systems providers and could be a useful entity to defend against a widespread attack.

This bill will require the DOD to describe how it is working with the intelligence community to identify, detect and counter the threat of information warfare programs of hostile states and potentially hostile sub-national organizations. One thing my Y2K experience has made very clear to me is that the coordination of intelligence and the proper identification of threat and intention is increasingly difficult. We often lack the human intelligence, just plain people on the ground, to meet the growing need for reconnaissance, and that makes coordinated and integrated technology all the more important.

We must begin to work from a position of having a consistent understanding of the terms we use. It is central to this idea that we define the terms: nationally ''significant cyber event'' and ''cyber reconstitution.'' PDD 63 and the National Plan do not define what these are and the lack of definition causes confusion and impedes program development.

Also, during Y2K we found that the DOD has a large dependency on foreign infrastructure and that we must develop a way to assure and defend that infrastructure electronically. Any collapse of an infrastructure would hurt our force projection capabilities.

Our offensive and defensive information operations need to evolve together in an integrated fashion. We need to identify elements of a defense against an information warfare attack, including how the capability of the U.S. Space Command's Computer Network Attack Capability will be integrated into the overall cyber defense of the U.S.

Mr. President, in closing I cannot overemphasis my concern for a thoughtful approach to cyber-defense. As many of us have become painfully aware, the threats are increasing at unheard of rates and our defenses, even in the government, have not kept pace.

Mr. President, I ask unanimous consent that the 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. 2702

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

SECTION 1. REPORTS ON FEDERAL GOVERNMENT PROGRESS IN IMPLEMENTING PRESIDENTIAL DECISION DIRECTIVE NO. 63 (PDD–63)

(a) FINDINGS.—Congress makes the following findings:

(1) The protection of our Nation's critical infrastructure is of paramount importance to the security of the United States.

(2) The vulnerability of our Nation's critical sectors—such as financial services, transportation, communications, and energy and water supply—has increased dramatically in recent years as our economy and society have become ever more dependent on interconnected computer systems.

(3) Threats to our Nation's critical infrastructure will continue to grow as foreign governments, terrorist groups, and cyber-criminals increasingly focus on information warfare as a method of achieving their aims.

(4) Addressing the computer-based risks to our Nation's critical infrastructure requires extensive coordination and cooperation within and between Federal agencies and the private sector.

(5) Presidential Decision Directive No. 63 (PDD–63) identifies 12 areas critical to the functioning of the United States and requires certain Federal agencies, and encourages private sector industries, to develop and comply with strategies intended to enhance the Nation's ability to protect its critical infrastructure.

(6) PDD–63 requires lead Federal agencies to work with their counterparts in the private sector to create early warning information sharing systems and other cyber-security strategies.

(7) PDD–63 further requires that key Federal agencies develop their own internal information assurance plans, and that these plans be fully operational not later than May 2003.

(b) REPORT REQUIREMENTS.—(1) Not later than July 1, 2001, the President shall submit to Congress a comprehensive report detailing the specific steps taken by the Federal Government as of the date of the report to develop infrastructure assurance strategies and the timetable of the Federal Government for operationalizing and fully implementing critical information systems defense by May, 2003. The report shall include the following:

(A) A detailed summary of the progress of each Federal agency in developing an internal information assurance plan.

(B) The progress of Federal agencies in establishing partnerships with relevant private sector industries.

(C) The status of cyber-security and information assurance capabilities in the private sector industries at the forefront of critical infrastructure protection.

(2)(A) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a detailed report on Department of Defense plans and programs to organize a coordinated defense against attacks on critical infrastructure and critical information-based systems in both the Federal Government and the private sector. The report shall be provided in both classified and unclassified formats.

(B) The report shall include the following:

(i) A description of the current role of the Department of Defense in implementing Presidential Decision Directive No. 63 (PDD–63).

(ii) A description of the manner in which the Department is integrating its various capabilities and assets (including the Army Land Information Warfare Activity (LIWA), the Joint Task Force on Computer Network Defense (JTF–CND), and the National Communications System) into an indications and warning architecture.

(iii) A description of Department work with the intelligence community to identify, detect, and counter the threat of information warfare programs by potentially hostile foreign national governments and sub-national groups.

(iv) A definitions of the terms ''nationally significant cyber event'' and ''cyber reconstitution''.

(v) A description of the organization of Department to protect its foreign-based infrastructure and networks.

(vi) An identification of the elements of a defense against an information warfare attack, including the integration of the Computer Network Attack Capability of the United States Space Command into the overall cyber-defense of the United States.●

By Mr. AKAKA (for himself, Mr. DURBIN, Mr. SARBANES, Ms. MIKULSKI, Mr. EDWARDS, and Mr. BAUCUS):

S. 2703. A bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established; to the Committee on Governmental Affairs.

THE POSTMASTERS FAIRNESS AND RIGHTS ACT

● Mr. AKAKA. Mr. President, I rise today to introduce the Postmasters Fairness and Rights Act, which will allow our nation's postmasters to take an active and constructive role in managing their post offices and discussing compensation issues. I am joined by Senators DURBIN, SARBANES, MIKULSKI, EDWARDS, and BAUCUS in offering this legislation.

Currently, Postmasters lack an equitable process for discussing pay and benefits and have seen an erosion of their role in improving the quality of mail services to postal patrons and managing their local post offices. These inequities have contributed to the decline in the number of Postmasters since the reorganization of the Postal Service 30 years ago.

Our bill would create a positive and fair procedure to address the inequalities that have resulted from the present ''consultative process.'' This would foster better mail services by investing Postmasters with greater input in operational decision-making, improving Postmasters' morale, and helping attract and retain qualified Postmasters. The measure would also define ''Postmaster'' for the first time.

Mr. President, the Postal Service estimates that seven million customers a day transact business at post offices. We expect timely delivery of the mail 6 days a week, and the Postal Service does not disappoint us. Given the regularity of mail delivery and the number of Americans visiting post offices daily, it is no wonder that we have come to view our neighborhood post offices as cornerstones of our communities. In fact, many of our towns and cities have developed around a post office where the postmaster served as the town's only link to the federal government.

Our nation's postmasters are on the front line to ensure that the mail gets delivered in a timely manner, and they have helped fuel the infrastructure that boosted the performance ratings of the Postal Service to an all-time high in 1999.

Despite these successes, there remains the question of pay and compensation, which this bill addresses. I would also like to note that a House companion bill, H.R. 3842, introduced on March 8, 2000, enjoys bipartisan support from 23 cosponsors. I urge my colleagues to support this legislation. Thank you Mr. President. I ask unanimous consent that the bill be printed in full in the RECORD.

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

S. 2703

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Postmasters Fairness and Rights Act''.

SEC. 2. POSTMASTERS TO BE COVERED BY AGREEMENTS RELATING TO PAY POLICIES AND SCHEDULES AND FRINGE BENEFIT PROGRAMS.

Section 1004 of title 39, United States Code, is amended by redesignating subsections (g) and (h) as subsections (i) and (j), respectively, and by inserting after subsection (f) the following:

''(g)(1) The Postal Service shall, within 45 days of each date on which an agreement is reached on a collective bargaining agreement between the Postal Service and the bargaining representative recognized under section 1203 which represents the largest number of employees, make a proposal for any changes in pay policies and schedules and fringe benefit programs for postmasters which are to be in effect during the same period as covered by such agreement.

''(2) The Postal Service and the postmasters' organization (or, if more than 1, all postmasters' organizations) shall strive to resolve any differences concerning the proposal described in paragraph (1).

''(3) If, within 60 days following the submission of the proposal, the Postal Service and the postmasters' organization (or organizations) are unable to reach agreement, either the Postal Service or the postmasters' organization (or organizations jointly) shall have the right to refer the dispute to an arbitration board established under paragraph (4).

''(4) An arbitration board shall be established to consider and decide a dispute arising under paragraph (3) and shall consist of 3 members, 1 of whom shall be selected by the Postal Service, 1 by the postmasters' organization (or organizations jointly), and the third by the 2 thus selected. If either the Postal Service or the postmasters' organization (or organizations) fail to select a member within 30 days after the dispute is referred to an arbitration board under this subsection, or if the members chosen fail to agree on the third person within 5 days after their first meeting, the selection shall be made by the Director of the Federal Mediation and Conciliation Service.

''(5) The arbitration board shall give the parties a full and fair hearing, including an opportunity for each party to present evidence in support of its claims and an opportunity to present its case in person, by counsel, or by such other representative as such party may elect. Decisions by the arbitration board shall be conclusive and binding upon the parties. The arbitration board shall render its decision within 45 days after its appointment.

''(6) Costs of the arbitration board shall be shared equally by the Postal Service and the postmasters' organization (or organizations), with the Postal Service to be responsible for one-half of those costs and the postmasters' organization (or organizations) to be responsible for the remainder.

''(7) Nothing in this subsection shall be considered to affect the application of section 1005.''.

SEC. 3. RIGHT OF POSTMASTERS' ORGANIZATIONS TO PARTICIPATE IN PLANNING AND DEVELOPMENT OF PROGRAMS.

The second sentence of section 1004(b) of title 39, United States Code, is amended by striking ''or that a managerial organization (other than an organization representing supervisors) represents a substantial percentage of managerial employees,'' and inserting ''or that a managerial organization (other than an organization representing supervisors or postmasters) represents a substantial percentage of managerial employees, or that an organization qualifies as a postmasters' organization,''.

SEC. 4. POSTMASTERS AND POSTMASTERS' ORGANIZATION DEFINED.

Subsection (i) of section 1004 of title 39, United States Code, as so redesignated by section 2, is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting a semicolon, and by adding at the end the following:

''(3) 'postmaster' means an individual who manages, with or without the assistance of subordinate managers or supervisors, the operations of a post office; and

''(4) 'postmasters' organization' means, with respect to a year, any organization of postmasters whose membership as of June 30th of the preceding year included not less than 20 percent of all individuals employed as postmasters as of that date.''.

SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 1001(e) of title 39, United States Code, is amended (in the matter before paragraph (1)) by inserting ''agreements under section 1004(g),'' after ''regulations,''.

(b) Section 1003(a) of title 39, United States Code, is amended in the first sentence by inserting ''section 1004(g) of this title,'' before ''section 8G''.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall take effect after the end of the 90-day period beginning on the date of enactment of this Act.●

By Mr. KERREY (for himself, Mr. BOND, Mr. DASCHLE, Mr. JOHNSON, Mr. BROWNBACK, and Mr. ROBERTS):

S. 2704. A bill to provide additional authority to the Army Corps of Engineers to protect, enhance, and restore fish and wildlife habitat on the Missouri River and to improve the environmental quality and public use and appreciation of the Missouri River; to the Committee on Environment and Public Works.

THE MISSOURI RIVER VALLEY IMPROVEMENT ACT

● Mr. KERREY. Mr. President, one year ago I came to the floor of the United States Senate to introduce legislation designed to improve the environmental quality and public use and appreciation of the Missouri River. The Missouri River Valley Improvement Act of 1999, sought to also mark the upcoming bicentennial anniversary of the Lewis and Clark expeditions of this great river. At that time I asked my colleagues who represent the states and communities along the Missouri River to look closely at the bill and join me as cosponsors in support of the legislation.

Through the hard work of state officials, river organizations and citizens throughout the Missouri River basin, many important improvements have been made to this bill. I believe these improvements strengthens our commitment to protecting the Missouri River. I am pleased, therefore, to introduce today, along with my Colleague's Senator DASCHLE, Senator BOND, Senator JOHNSON, Senator BROWNBACK and Senator ROBERTS, the Missouri River Valley Improvement Act of 2000.

This legislation maintains the commitment made in last year's bill to aid native river fish and wildlife, reduce flood loss, and enhance recreation and tourism throughout the basin. Additionally, this bill provides authorities for the revitalization of historic riverfronts, similar to the ongoing 'Back to the River' revitalization project currently underway in my home state of Nebraska. The new legislation also recognizes the commitment Congress made last year to habitat restoration efforts along the Missouri River by authorizing resources for these projects.

I am proud of the bipartisan support garnered for this legislation. This bill demonstrates that common ground exists when it comes to strengthening the health of the Missouri River. Those who use the river whether it be for recreational, commercial, or environmental purposes recognize the benefits of preserving this National treasure. Protecting native habitat along the Missouri River and enhancing environmental understanding through riverfront restoration and scientific monitoring is a legacy we should all want to leave our children and grandchildren.

Mr. President, it is my hope that this bill becomes part of the growing recognition that the environmental revitalization of the Missouri River is in all of our interests. The Missouri River Valley Improvement Act of 2000 will help to restore and improve our access and enjoyment of the river, and will provide vital economic, recreational and education opportunities for everyone who lives along and visits this great river, the Crown Jewel of the Midwest.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. AKAKA, Ms. COLLINS, Mr. DURBIN, Mr. LEVIN, and Mr. VOINOVICH):

S. 2705. A bill to provide for the training of individuals, during a Presidential transition, who the President intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes; to the Committee on Governmental Affairs.

THE PRESIDENTIAL TRANSITION ACT OF 2000

● Mr. THOMPSON. Mr. President, Senator LIEBERMAN and I are today introducing the Presidential Transition Act of 2000 on behalf of ourselves and Senators AKAKA, DURBIN, LEVIN, and VOINOVICH. The ability of a President-elect to effectively transition from campaigning to governing is obviously of critical importance and this legislation is designed to initiate much needed improvements in the process.

A President-elect must face the management challenge of transitioning from leading a successful campaign operation to leading the nation. There are only 73 days from election day to inauguration day. Transition planning should begin prior to election day. The President-elect should have the ability to move immediately to put a new team in place. That team should receive the critical information it needs to be prepared to take over the management of the federal government on inauguration day. Potential nominees should be able to move through the nomination and confirmation process without unnecessary barriers.

The magnitude of the need for an effective presidential transition and the recognized problems with past ones have led a number of private sector organizations to focus on the problem and solutions to it. Several, including the Presidential Appointee Initiative of the Brookings Institution, Transition to Governing of the American Enterprise Institute and Brookings, and the Heritage Foundation's Mandate for Leadership 2000, have contributed to our consideration of this problem. These groups and others are independently preparing a body of knowledge which will assist the new administration to get an effective, timely start. I ask unanimous consent that an article by Carl Cannon in National Journal and one by David Broder in the Washington Post, which describe the significant work which is underway, be printed at the conclusion of my remarks, followed by the text of our legislation.

The legislation encompasses and expands on H.R. 3137, legislation sponsored by Representative STEVE HORN, Chairman of the Committee on Government Reform Subcommittee on Government Management, Information and Technology and passed by the House of Representatives. Representative HORN's bill provides for the payment of expenses during the transition for briefings and other activities designed to transfer key policy and administrative information to prospective presidential staff in order to ensure a

smooth transition from one administration to another. The current Administration has recognized the importance of these activities by including additional funds for it in its FY 2001 budget request for the General Services Administration.

Our bill supplements the framework established by H.R. 3137. Our bill includes the authorization of federal funds to be spent to provide for the training and orientation of officials a President intends to nominate to key positions. This important provision allows political appointees to hit the ground running by preparing for the job before they are nominated.

Additionally, our bill requires the preparation of a ''transition directory.'' This valuable tool will be a compilation of materials that provide information to prospective appointees about the organization of federal departments and agencies, as well as the statutory and administrative authorities, functions, duties, and responsibilities of each federal department and agency. With this tool, prospective appointees can better manage the new, important positions they are preparing to undertake.

Finally, the bill requires the Office of Government Ethics conduct a study and submit a report to Congress on potential improvements to the current financial disclosure process Presidential nominees are currently required to undergo. Certainly, nothing the Office of Government Ethics recommends should in any way lessen the requirement that potential nominees disclose possible conflicts of interest. But, the Office of Government Ethics should recommend ways to improve the process of obtaining, reviewing, and disclosing such information in order to reduce the burden the current process places on potential appointees and the people who review the information.

Mr. President, we believe this legislation will help improve and smooth the process by which elected Presidents and their political appointees transition to power and assume their responsibilities. We hope the incentives provided in this legislation will encourage and enable presidential candidates, presidents-elect and newly sworn presidents to be up and running on the day after the inauguration.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

[From National Journal, May 13, 2000]

IMPROVING THE WHITE HOUSE MEMORY

(By Carl M. Cannon)

White House Chief of Staff John Podesta recalls being jazzed his first day in the Clinton Administration—until he saw his workstation. There wasn't a single piece of paper on his desk, and not so much as a diagram telling him where the men's room was. There was a computer monitor and processor, but the monitor was blank and the processor had wires poking out of it—someone had removed the hard drive. This was no crime of vandalism. It was the law, at work.

While the Constitution sets clear rules on how the country goes about electing a President, there has always been a haphazard quality to the transition. One reason is that both long-standing custom and the Presidential Records Act of 1978 dictate that almost all White House offices be swept clean of all records, including basic information that would help a new President get off to a good start.

''By law, there's no institutional memory,'' says political scientist Martha Joynt Kumar of Towson State University, the author of two books on White House operations. ''A new Administration, especially when there's a change of party, begins without a written record compiled by the previous occupants. Those who have worked there almost uniformly describe this as a handicap.''

The absence of a record can be an issue even in what ought to be the least partisan of transitions—the ascendancy of a Vice President to the Oval Office in midterm. When President Franklin D. Roosevelt died in April 1945, Harry S. Truman's incoming staff lacked access to key information, including the fact that the United States was close to developing the atomic bomb. As Vice President, Truman had not known the weapon existed, and it was not until 13 days after he became President that Secretary of War Henry L. Stimpson informed him of the project.

''I felt,'' Truman explained of his sudden thrust into the Oval Office. ''like the moon, the stars, and all the planets had fallen on me.''

Even when the nation is at peace, the lack of a written record in the White House National Security Council is a continuing problem. ''The new NSC staff spends months recreating them or negotiating with the archivists to get access to them,'' says John Fortier, a researcher at the American Enterprise Institute. ''There has to be a better way.''

In other words, Podesta was hardly the first appointee to wonder about this process. Michael Jackson, who held a powerful post as the White House's Cabinet secretary, recalls a scramble for furniture on the first day of the Bush Administration more appropriate for the movie Animal House than the White House.

''The first day what they did is, they pulled out a lot of the furniture from the offices and into the halls, where there were piles of credenzas, desks, wing chairs,'' Jackson told Kumar. ''The people who were smart and knew the drill got there early and went and just took stuff.

Commentator David Gergen, who has served in two Republican Administrations and one Democratic (Clinton's), maintains that this early confusion in a cleaned-out, clueless White House comes at a price for the new President—and the country. ''The early months are so important because that's when you have the most authority,'' Gergen said. But that's when you also have the least capacity for making the right decisions.''

Other White House veterans assert that the lack of institutional memory helps explain why incoming Administrations seem to stubbornly repeat the mistakes of their predecessors, especially in their first days. Jimmy Carter, Ronald Regan, and Bill Clinton, for instance, all vowed during their campaigns to cut the size of White House staff, but their efforts to follow through on this ill-considered promise produced results ranging from poor to disastrous.

''Cicero said that he who does not know history would forever remain a child,'' says David M. Abshire, who heads the Center for the Study of the Presidency and who assisted in the Reagan transition. ''Believe it or not, some Presidents have done childish things.''

But such scholars as Abshir and Kumar insist that this is hardly all presidential fault: Imagine a $1.8 trillion company—that's the approximate size of the federal budget—in which the corporate headquarters is vacated every four or eight years. Moreover, hardly any of the support staff stays on, all the files vanish, and the shareholders are given only two months' notice about the identity of the incoming CEO.

''The White House is not simply a spoil of victory,'' says former Carter White House aide Harrison Wellford, an attorney who now handles corporate mergers. ''It's the nerve center of the greatest government in the world, and we ought to at least give it the same respect that you do when you take over a second-rate corporation.''

A slew of presidential scholars and good-government organizations are spending this year trying to do just that. They have undertaken a series of projects designed to help the new President hit the ground running when he takes office on Jan. 22, 2001:

Abshire's Center for the Study of the Presidency is working on a special report intended to reach the President-elect on the day after the election. The package will include several case studies illustrating past Presidents' successes and failures in policy-making, and an analysis of ''the art of presidential leadership.''

The Heritage Foundation is undertaking a project called Mandate for Leadership 2000. Obviously, the conservative Heritage folks are pulling for Republican Gov. George W. Bush over Democratic Vice President Al Gore. Just as obviously, some of the Heritage material, such as a proposed federal spending blueprint, is geared for a GOP President. But Heritage is also in the midst of a bipartisan effort consisting of a series of seminars and publications designed to guide the next Administration. Later this year, Heritage plans to publish what it promises will be a nonpartisan report drawing on the accumulated wisdom of a cast of former White House aides, ranging from former Clinton Chief of Staff Leon E. Panetta to Reagan confidant and Deputy White House Chief of Staff Michael K. Deaver.

Paul C. Light of the Brookings Institution has launched his Presidential Appointee Initiative with the goal of helping a new President get the best and the brightest Americans into his Administration. This project, funded to the tune of $3.6 million for three years by the Pew Charitable Trusts, will propose reforms that streamline and depoliticize the appointment and confirmation process. ''The premise . . . is that effective governance is impossible if the nation's most talented citizens are reluctant to accept the President's call to government service.'' Light says.

At the American Enterprise Institute, Norman J. Ornstein has teamed with Thomas E. Mann of the Brookings Institution on a wide-ranging three-year mission called Transition to Governing. Also funded by Pew, the $3.35 million project targets the ''permanent campaign,'' which has made stars of political consultants while reducing policy-makers to slaves of the daily tracking polls.

In the works at AEI are two conferences; a published set of benchmarks by which to judge successful transitions; recommendations for improving the confirmation process; a book on the danger of the permanent campaign; and the publication of transition memos written by Harvard scholar Richard Neustadt for Presidents Kennedy, Reagan, and Clinton. In addition, AEI intends to supplement Light's work by developing ideas for accelerating the appointment process, which

took an average of two months in Kennedy's day but now consumes more than nine months.

One tool being created is a CD–ROM modeled on TurboTax software that consolidates all of the questions asked on the various government disclosure forms and in FBI background checks. ''The purpose of it is to make it easy for nominees to complete the blizzard of paperwork they have to negotiate,'' says Terry Sullivan, the University of North Carolina political scientist overseeing the project. ''One of the things we know from interviews Paul Light's organization has been conducting with these people is that they find all this paperwork to be odious and repetitious. It discourages some nominees. . . .''

Finally, there is the White House interview program, the brainchild of Martha Kumar and several of her fellow presidential scholars. Also funded by Pew, but at only $250,000 for three years, it may offer the biggest bang for the buck. Kumar has conducted nearly 75 in-depth interviews with former White House officials from seven key offices, including chief of staff and communications, going back as far as the Nixon Administration. ''The idea of these interviews is to get into the workings of the White House'' Kumar said, ''and to pass along their insights to those who need it—when they need it most.''

Her interviews will be made available, along with a 15-page analysis on the office in question, to those hired during the transition for positions such as White House chief of staff and press secretary. Next year, they will be turned over to the National Archives.

The scholars themselves are aware that the reports they are producing will compete with each other and with a thousand other demands on the new appointees' time. For that reason, there has been a good deal of cross-pollination of ideas and cooperation among the scholars, many of whom are being tapped for more than one of these projects. In the process, a loose consensus has formed among them, one that David Abshire puts succinctly: ''The most important decision a President makes is whom he picks to make up that presidency.''

[From the Washington Post, June 4, 2000]

START THINKING TRANSITION

(By David S. Broder)

If you call the Bush or Gore campaigns, as I did last week and ask if anyone is planning the transition to the presidency, the answer is an astonished ''No!'' It's months until the conventions and the focus is entirely on the fall campaign, they say. First things first. It would be presumptuous to think otherwise.

But the strongly held view of those who have been through this sequence before is that George W. Bush and Al Gore ought to be thinking about the takeover of government now, and starting to plan the process very soon, well before they know which of them will be successful on Election Day.

''Remember you have only 73 days'' from election to inauguration, Theodore C. Sorensen, the counsel in the Kennedy White House, said last week at a conference sponsored by the Heritage Foundation. ''You better begin planning before Election Day.''

That advice was echoed by veterans of the Johnson, Carter, Reagan and Bush White Houses—and by a trio of scholars who have been plumbing the records of past transitions.

In fact, such advance planning has been done in many past campaigns—but covertly, to avoid conveying a sense of smug overconfidence to the voters. Jack Watson, who became Jimmy Carter's chief of staff, told the Heritage audience that he had retrieved a memo from the Carter archives he had written the former Georgia governor on May 11, 1976, soon after Carter won the Pennsylvania primary and established himself as the favorite for the nomination. It suggested that as outsiders to Washington, they needed to start organizing themselves soon for the possibility of taking over the executive branch. Carter gave him the go-ahead on May 27—just about this point in the cycle—but ordered secrecy.

Why the need for such a long head start? Mainly because the process of identifying the key officials and getting them in place can be so agonizing. C. Boyden Gray, counsel in the Bush White House, said the president-elect should be ready to give the FBI the names of 100 to 150 people ''immediately after the election,'' so the clearance procedures can begin. ''Do it, even if you don't know what their jobs will be,'' Gray said, ''because there will always be a glitch.''

Who are those key officials? Richard E. Neustadt, the Harvard professor whose work on the presidency has been a handbook for several administrations, was unequivocal in his answer. ''Choose the White House staff before you pick the Cabinet,'' he said, ''so they can begin to relate to each other in the process of Cabinet selection. Don't do the Cabinet first.''

President Clinton famously did the opposite and dallied so long in Cabinet-making that he barely got his White House aides named before he moved from Little Rock to Washington. He paid a price; many of those last-minute White House appointees turned out to be ill suited for their jobs and had to be replaced.

The Reagan transition is considered by scholars the best of recent times. Planning began well before Election Day and was aided by the outgoing administration, said Edwin Meese III, the transition director who later became attorney general. Carter and Watson were so grateful for the help they had received four years before from defeated President Ford, through his top aides Richard Cheney and John O. Marsh, that they went out of their way to help the Reagan people.

No one can predict how much help the retiring Clintonities will give their successors, though it presumably would be extended automatically to Gore's people. But plenty of guidance will be available to the incoming president from outside government.

Four think tanks—Heritage, the American Enterprise Institute, the Brookings Institution and the Center for the Study of the Presidency—all have major transition studies underway and will be ready with briefing papers for the winners.

In addition, the American Political Science Association with a Few Charitable Trusts grant, has a White House 2001 project. Martha Kumar, a professor at Towson University, and her colleagues have interviewed 75 officials from the past six White Houses and are building what Kumar calls ''the first institutional memory'' of seven key White House offices, which together make up the nerve center of the presidency.

They will present the president-elect's team with seven short essays, drawn from the interviews, on ''how the place should work,'' plus something that never before existed—a Rolodex of past officials in those offices and their phone numbers.

This may sound elementary, but the reality is that when a new president moves in, his top aides find bare desks, empty filing cabinets and disconnected computers. They need help.

And it will be there, especially if Gore and Bush don't procrastinate in starting their transition planning.

● Mr. LIEBERMAN. Mr. President, I am pleased to join with Senators THOMPSON, LEVIN, DURBIN, VOINOVICH, COLLINS and AKAKA to introduce this legislation, which will help improve the transition from one Presidential Administration to the next by providing training and other assistance.

Each newly elected President has the power to bring into government, with the advice and consent of the Senate, his or her own selection of political appointees to manage key agencies and offices within the Executive Branch. However, new administrations face a series of hurdles they must overcome to accomplish this essential task before they can begin to govern. For example, new administrations often lack critical information about the jobs they must fill. Individuals without prior government experience who are selected for key positions may be unfamiliar with how to work with Congress and the media and may run the risk of missteps early in their tenure. But perhaps most importantly, the process by which these individuals are nominated and confirmed has fallen into increasing disarray in recent years. Knowledgeable observers have warned that it could take until November 2001 before all the senior members of the new Administration are vetted and confirmed, due to factors such as lengthier background checks, burdensome and duplicative financial disclosure forms, and a more contentious Senate confirmation process.

The bill we are introducing today is a first step in responding to these problems. It provides for training and orientation of high-level Presidential appointees, to better prepare them for the challenges of their new positions. It provides for the preparation of a ''transition directory'' containing essential information about the agency structure and responsibilities these new appointees will face. Our bill directs the Office of Government Ethics to study ways to streamline the current financial disclosure process, while still ensuring disclosure of possible conflicts of interest.

More may need to be done. Several studies are underway to look at how we can further improve the transition process, including the Presidential Appointee Initiative and the Transition to Governing Project. I commend those undertaking these studies and their efforts to provide assistance to the upcoming crop of nominees, and I look forward to recommendations for future action.●

By Mr. SANTORUM (for himself and Mr. KOHL):

S. 2706. A bill to amend the Agricultural Market Transition Act to establish a program to provide dairy farmers a price safety net for small- and medium-sized dairy producers; to the Committee on Agriculture, Nutrition, and Forestry.

NATIONAL DAIRY FARMERS FAIRNESS ACT OF 2000

● Mr. SANTORUM. Mr. President, I rise today to introduce legislation that

will assist our nation's dairy farmers at a time when the dairy industry is facing tremendous difficulty. This legislation proposes a regionally equitable plan that will bring some predictability to a business that is otherwise challenged by inherent variability that accompanies dairy farming.

I am pleased to have Senator HERB KOHL of Wisconsin join with me today in this effort. Given the importance of the dairy industry to our respective states, Senator KOHL and I worked together over the past few months to forge a consensus plan that addresses the concerns of dairy farmers nationwide. For far too long, regional politics has plagued efforts to achieve a fair and equitable national dairy policy. As a result, milk pricing has become increasingly complex and overly prescriptive. Given that dairy farmers are receiving the lowest price for their milk in more than twenty years, I feel strongly that Congress needed to step to the plate and offer a fair and responsible solution—the very reason for this action.

The National Dairy Farmers Fairness Act has two major goals: 1. create a dairy policy that is equitable for farmers in all regions of the country; 2. provide more certainty for farmers in the prices they receive for their milk. To accomplish these goals, this legislation creates a safety net for farmers by providing supplemental assistance when milk prices are low. Specifically, a sliding scale payment is made based upon the previous year's price for the national average of Class III milk. In short, the payment rate to farmers is highest when the prices they received were the lowest. In order to be eligible, a farmer must have produced milk for commercial sale in the previous year, and would be compensated on the first 26,000 hundredweight of production. All dairy producers would be eligible to participate under this scenario.

Without a doubt, our dairy pricing policy is flawed. Many solutions—modest to sweeping—have been proposed, discussed, and debated on the Senate floor yet final agreement among interested parties has so far eluded us. As a member of the Senate Agriculture Committee who represents the fourth largest dairy producing state in the nation, I am committed to preserving the viability of Pennsylvania's dairy farmers. This legislative proposal represents the strong concern and interest of mine to find a middle ground in the often heated debate on dairy policy. I am pleased to join with Senator KOHL in this effort, and I believe it sends a strong signal that compromise can be achieved even on the most contentious of issues.●

Mr. KOHL. Mr. President, I rise today and join my colleague Senator RICK SANTORUM of Pennsylvania to introduce legislation to provide much needed assistance to our nation's dairy producers who are facing the lowest milk prices in over two decades.

Due to the failure of the federal order reform process and the Administration's failure to include a meaningful dairy price safety net in its Fiscal Year 2001 budget, this legislation is an appropriate and necessary response to the ongoing regional milk pricing inequities and the dairy income crisis affecting all producers. In the past, the divisive and controversial dairy compact system has hindered Congress's efforts to achieve a fair and equitable national dairy policy. I am pleased to join with Senator SANTORUM to introduce this legislation to create a regionally equitable plan will provide a price safety net for small and medium sized dairy producers throughout the country.

The National Dairy Farmers Fairness Act of 2000 has two major goals: (1) to create a dairy policy that is equitable for farmers in all regions of the country; (2) provide stability for dairy producers in the prices they receive for their milk. To accomplish these goals, this legislation creates a price safety net for farmers by providing supplemental income payments when milk prices are low. A ''sliding-scale'' payment is made based upon the previous year's price for the national average for Class III milk. In essence, the payment rate to farmers is highest when the national Class III average is the lowest. To participate in this program, a farmer must have produced milk for commercial sale in the previous year. Payments under the program are also capped for the first 26,000 hundredweight of production. Again, all dairy producers would be eligible to participate under this scenario.

The fiscal year 2001 Agriculture Appropriations bill includes $443 million in emergency direct payments to dairy producers for losses incurred this year. While this action is absolutely necessary to respond to the current crisis, it is time that an on-going program providing supplemental income payments to farmers when milk prices decline be established. This important legislation represents a bipartisan and national approach in providing predictability and price stability in this otherwise volatile industry. Again, I am pleased to join with Senator SANTORUM in introducing this legislation and look forward to working with him in passing this important legislation.

By Mr. CRAPO (for himself, Mr. CRAIG, and Mr. BURNS):

S. 2707. A bill to help ensure general aviation aircraft access to Federal land and the airspace over that land; to the Committee on Energy and Natural Resources.

THE BACKCOUNTRY LANDING STRIP ACCESS ACT

● Mr. CRAPO. Mr. President, I am pleased to be joined today by my colleagues, Senator CRAIG and Senator BURNS, to introduce the Backcountry Landing Strip Access Act. This bill will preserve our nation's backcountry airstrips and require a public review and comment period before airstrips are temporarily or permanently closed.

Idaho is home to more than fifty backcountry airstrips and the state is known nationwide for its air access to wilderness and primitive areas. In testimony before Congress on the importance of preserving backcountry airstrips, Bart Welsh, Aeronautics Administrator for the Idaho Department of Transportation, stated that these airstrips are, ''an irreplaceable state and national treasure.'' Unfortunately, the reality today is that many airstrips have been closed or rendered unserviceable through neglect by federal agencies responsible for land management. Even more troubling is that these closures occur without providing the public with a justification for such action or an opportunity to comment on them.

Our bill would address this situation by preventing the Secretary of Interior and the Secretary of Agriculture from permanently closing airstrips without first consulting with state aviation agencies and users. The legislation would also require that proposed closures would be published in the Federal Register with a ninety-day public comment period. The bill directs the Secretary of Interior and the Secretary of Agriculture, after consultation with the FAA, to adopt a nationwide policy governing backcountry aviation. Finally, I would be remiss if I did not mention that this bill is a result of Congressman JIM HANSEN's tireless efforts in promoting backcountry aviation access in the other body.

Backcountry airstrips are disappearing and, because of existing statutes, they are irreplaceable. When the Frank Church Wilderness Act was established in Idaho, it incorporated a provision to provide for the continued operation of all existing landing strips. The Act states that existing landing strips cannot be closed permanently or rendered unserviceable without the written consent of the State of Idaho. This has created an effective partnership between personnel from the U.S. Forest Service and staff from the Idaho Division of Aeronautics along with other interested parties. My bill extends the success of the Frank Church Wilderness Act provision nationwide to preserve airstrips in Idaho as well as other states.

I have heard from general aviation users and state aviation officials that pilots often discover that an airstrip is closed only when they attempt to use it. This represents a grave danger to those who have not been made aware of an airstrip's closure. The public process in this bill would rectify this problem by ensuring that everyone with an interest in backcountry aviation remains informed of a proposed closure and is allowed to comment on it.

Backcountry airstrips are active and essential to citizens who depend on wilderness access. These airstrips are utilized by pilots and outdoor enthusiasts. In addition, access to the strips ensures a fundamental American service—universal postal delivery. Without access to backcountry airstrips, citizens who live and work in remote areas would not receive their mails.

Among the other vital functions of backcountry airstrips is their use for firefighting, search and rescue, and especially their availability to pilots in emergencies. Backcountry airstrips are analogous to fire engines in a firehouse. Although the airstrip may not used daily, it is always available in an emergency. Likewise, backcountry airstrips are available as a safe haven for public flying in remote mountainous areas. Without the airstrips, these pilots would have little chance of survival while attempting an emergency landing.

Let me be clear, the Backcountry Landing Strip Access Act does not harm our forests or our wilderness areas, as some might suggest. Moreover, backcountry airstrips are regularly used by forest officials to maintain forests and trails, conduct ecological management projects, and aerial mapping. This bill is simply about access. It does not reopen airstrips that have already been closed, nor does it burden federal officials with maintenance requirements. In fact, pilots themselves regularly maintain backcountry strips.

The Backcounty Landing Strip Access Act is commonsense legislation that allows those who used and benefit from the airstrips to be involved in the decision-making process. I have always found that decisions on the use of public land are best handled by those who are impacted the most, rather than federal bureaucrats in Washington, DC. In Idaho, we have evolved into a cooperative relationship with federal land managers. It makes sense that the rest of the country should benefit from this philosophy of cooperation. One we lose an airstrip it is gone forever. I urge my colleagues to join with us in an effort to preserve the remaining backcountry airstrips.●

By Mr. ASHCROFT:

S. 2708. A bill to establish a Patients Before Paperwork Medicare Red Tape Reduction Commission to study the proliferation of paperwork under the medicare program; to the Committee on Finance.

THE PATIENTS BEFORE PAPERWORK MEDICARE RED TAPE REDUCTION ACT OF 2000

Mr. ASHCROFT. Mr. President, Medicare paperwork requirements burden America's seniors, health care providers, and federal government staff that manage Medicare.

In 1998, the average processing time for appeals of claims denied under Medicare Part A was 310 days. For Medicare Part B, the average appeal time was 524 days. Waiting periods of a year or longer are too long for America's seniors to wait. These lengthy waiting periods tell me that there must be room for us to improve the way we administer Medicare.

HCFA regulations governing Medicare consist of 110,000 pages—six times as long as the Tax Code, which is 17,000 pages. In addition, HCFA uses 23 different forms to administer the Medicare program.

According to Dr. Nancy Dickey, Immediate Past President of the American Medical Association, for most doctors, ''the biggest challenge is getting through mountains of Medicare paperwork.''

Let me give you some examples of how paperwork burdens and related regulations are affecting the Medicare program. Recently Dr. Joseph Marshall, a Washington, DC., gynecologist, became so frustrated with HCFA regulations that he chose to give his Medicare patients free visits, so that he would avoid sending a bill to Medicare. HCFA would not allow it. HCFA told him that if he did not bill HCFA, he could be fined and imprisoned.

A nonprofit Minnesota organization, Allina, which serves 35,000 seniors, expects to spend $2 million annually in paperwork related burdens. And Medicare paperwork burdens have forced increasing numbers of seniors to resort to ''insurance claim service'' firms to help them complete Medicare paperwork. These firms charge $20 to $75 an hour.

This is not the tax code I am referring to. This is Medicare, the program that is supposed to bring health care to elderly Americans, not bury them and their doctors under mountains of paperwork.

During the Clinton Administration, more than a quarter of the 110,000 pages of Medicare regulations and paperwork have been added. In April of last year, HCFA proposed 93 new regulations based on the Balanced Budget Act alone.

Mr. President, drowning doctors and patients alike in a morass of paperwork must end. The seniors who have been promised Medicare coverage throughout their working lives deserve the best possible coverage. The doctors who treat them deserve our gratitude, not bureaucratic burdens and indifference.

Therefore, today I am introducing the ''Patients Before Paperwork Medicare Red Tape Reduction Act of 2000.'' This legislation would establish a Commission to examine inefficient and superfluous Medicare paperwork requirements and related regulations. The Commission will include physicians, hospital administrators, senior citizens, nursing home and long term care administrators, and health care plan representatives, the very people best able to determine which forms are necessary to ensure quality coverage, and which forms create unfair burdens and time-wasting mandates from Washington.

The Commission will be responsible for reviewing existing paperwork burdens, with the goal of reducing those burdens. It will streamline and simplify the coding method for Medicare services, facilitate electronic filing and the elimination of paperwork, and demonstrate that existing and proposed paperwork requirements and related regulations have proven benefits, including a positive health benefit for consumers.

The Commission will also explore the important issue of how patient-doctor relationships have been impacted by onerous paperwork requirements that force doctors to spend more time examining forms than examining patients.

This legislation would alleviate the burden that Medicare paperwork imposes on millions of Medicare beneficiaries, health care providers, and our own federal government. By establishing this Commission, we would create the opportunity to decrease Medicare paperwork burdens on seniors and promote efficiency within the health care industry and within the federal government.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

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

S. 2708

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Patients Before Paperwork Medicare Red Tape Reduction Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Regulations promulgated by the Health Care Financing Administration to administer the medicare program under title XVIII of the Social Security Act are 3 times as long as the regulations relating to the Internal Revenue Code of 1986.

(2) During the Administration of President Clinton, more than a quarter of the 110,000 pages of medicare regulations and paperwork have been added.

(3) According to American Medical Association Immediate Past President Dr. Nancy W. Dickey, for most doctors, ''the biggest challenge is getting through mountains of medicare paperwork''.

(4) According to the Wall Street Journal, Allina, a nonprofit Minnesota organization serving 35,000 medicare beneficiaries, expects to spend $2,000,000 annually in paperwork-related burdens.

(5) Medicare paperwork burdens have forced increasing numbers of medicare beneficiaries to resort to the use of ''insurance claim service'' firms that charge from $20 to $75 an hour.

(6) The Health Care Financing Administration uses 23 different forms in the administration of the medicare program.

(7) In 1998, the average processing time for appeals of claims denied under part A of the medicare program was 310 days and the average appeal time was 524 days under part B of such program.

SEC. 3. PATIENTS BEFORE PAPERWORK MEDICARE RED TAPE REDUCTION COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Patients Before Paperwork Medicare Red Tape Reduction Commission (in this section referred to as the ''Commission'').

(b) DUTIES OF THE COMMISSION.—The Commission shall—

(1) review existing paperwork burdens and related regulations under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), with the goal

of reducing the paperwork burdens under such program;

(2) analyze whether existing and proposed paperwork requirements and related regulations have proven benefits, including a positive health benefit for medicare beneficiaries;

(3) make recommendations regarding methods to streamline and to simplify the coding method for items and services for which reimbursement is provided under the medicare program;

(4) make recommendations regarding the facilitation of electronic filing of claims for reimbursement and the elimination of paperwork under the medicare program;

(5) develop a standard form that will minimize any duplication of data and that facilitates the creation of an electronic system that relies on less paperwork than the current system;

(6) determine the effect of the paperwork requirements under the medicare program on relationships between doctors and patients; and

(7) review and analyze such other matters relating to paperwork reduction under the medicare program as the Commission deems appropriate.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the Commission shall be composed of 11 members, of whom—

(i) 3 shall be appointed by the President, of whom not more than 2 shall be of the same political party;

(ii) 3 shall be appointed by the Majority Leader of the Senate, in consultation with the Minority Leader of the Senate, of whom not more than 2 shall be of the same political party;

(iii) 3 shall be appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives, of whom not more than 2 shall be of the same political party;

(iv) 1, who shall serve as Chairperson of the Commission, appointed jointly by the President, Majority Leader of the Senate, and the Speaker of the House of Representatives; and

(v) 1, who shall be the Secretary of Health and Human Services or the Administrator of the Health Care Financing Administration, as determined by the President.

(B) MEMBERSHIP.—

(i) IN GENERAL.—Each member appointed under this paragraph, except for the member described in subparagraph (A)(v), shall be—

(I) a health care provider, insurer, or expert familiar with the medicare program; or

(II) a medicare beneficiary.

(ii) INCLUSION OF PRACTICING PHYSICIANS.—At least 1 member appointed under this paragraph shall be a practicing physician.

(2) DEADLINE FOR APPOINTMENT.—Members of the Commission shall be appointed by not later than August 1, 2000.

(3) TERMS OF APPOINTMENT.—The term of any appointment under paragraph (1) to the Commission shall be for the life of the Commission.

(4) MEETINGS.—The Commission shall meet at the call of its Chairperson or a majority of its members.

(5) QUORUM.—A quorum shall consist of a majority of the members of the Commission, except that 3 members may conduct a hearing under subsection (e)(1).

(6) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made not later than 30 days after the Commission is given notice of the vacancy and shall not affect the power of the remaining members to execute the duties of the Commission.

(7) COMPENSATION.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission.

(8) EXPENSES.—Each member of the Commission shall receive travel expenses and per diem in lieu of subsistence in accordance with sections 5702 and 5703 of title 5, United States Code.

(d) STAFF AND SUPPORT SERVICES.—

(1) EXECUTIVE DIRECTOR.—

(A) APPOINTMENT.—The Chairperson shall appoint an executive director of the Commission.

(B) COMPENSATION.—The executive director shall be paid the rate of basic pay for level V of the Executive Schedule.

(2) STAFF.—With the approval of the Commission, the executive director may appoint such personnel as the executive director considers appropriate.

(3) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title (relating to classification and General Schedule pay rates).

(4) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the executive director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(5) PHYSICAL FACILITIES.—The Administrator of General Services shall locate suitable office space for the operation of the Commission. The facilities shall serve as the headquarters of the Commission and shall include all necessary equipment and incidentals required for the proper functioning of the Commission.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND OTHER ACTIVITIES.—For the purpose of carrying out its duties, the Commission may hold such hearings and undertake such other activities as the Commission determines to be necessary to carry out its duties.

(2) STUDIES BY GAO.—Upon the request of the Commission, the Comptroller General of the United States shall conduct such studies or investigations as the Commission determines to be necessary to carry out its duties.

(3) COST ESTIMATES BY CONGRESSIONAL BUDGET OFFICE AND OFFICE OF THE CHIEF ACTUARY OF HCFA.—

(A) The Director of the Congressional Budget Office or the Chief Actuary of the Health Care Financing Administration shall provide to the Commission, upon the request of the Commission, such cost estimates as the Commission determines to be necessary to carry out its duties.

(B) The Commission shall reimburse the Director of the Congressional Budget Office for expenses relating to the employment in the office of the Director of such additional staff as may be necessary for the Director to comply with requests by the Commission under subparagraph (A).

(4) DETAIL OF FEDERAL EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency is authorized to detail, without reimbursement, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(5) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out its duties.

(6) USE OF MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(7) OBTAINING INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out its duties, if the information may be disclosed under section 552 of title 5, United States Code. Upon request of the Chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(8) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(9) PRINTING.—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of Congress.

(f) REPORT.—Not later than 1 year after the date on which the final member of the Commission is appointed under subsection (c), the Commission shall submit a report to the President and Congress which shall contain a detailed statement of only those recommendations, findings, and conclusions of the Commission that receive the approval of at least a majority of the members of the Commission.

(g) TERMINATION.—The Commission shall terminate 30 days after the date of submission of the report required under subsection (f).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $500,000 to carry out this section.

By Mr. BAUCUS (for himself, Mr. BOND, Mr. BINGAMAN, Mr. DORGAN, Mr. DASCHLE, and Mr. KERREY):

S. 2709. To establish a Beef Industry Compensation Trust Fund with the duties imposed on products of countries that fail to comply with certain WTO dispute resolution decisions; to the Committee on Agriculture, Nutrition, and Forestry.

TRADE INJURY COMPENSATION ACT

• Mr. BAUCUS. Mr. President, I rise today to introduce the Trade Injury Compensation Act of 2000. I am joined in this effort by Senator BOND, my fellow co-chairman of the Senate Beef Caucus, and Senators BINGAMAN, DORGAN, DASCHLE, and KERREY.

The Trade Injury Compensation Act establishes a Beef Industry Compensation Trust Fund to help the United States cattle industry withstand the European Union's illegal ban on beef treated with hormones.

Over a year ago, the World Trade Organization endorsed retaliation when the EU refused to open to American beef. Since that time, the EU has continued to stall in its compliance which is frankly, outrageous. For over a decade we've fought the beef battle. Now its time to try something new to help producers who continue to be injured by the ban.

The Trade Injury Compensation Act establishes a mechanism for using the tariffs imposed on the EU to directly aid U.S. beef producers. Normally, the additional tariff revenues received from retaliation go to the Treasury.

This bill establishes a trust fund so that the affected industry will receive those revenues as compensation for its injury.

Our legislation authorizes the Secretary of Agriculture to provide grants to a nationally recognized beef promotion and research board for the education and market promotion of the United States beef industry. In particular, the fund shall:

(1) Provide assistance to United States beef producers to improve the quality of beef produced in the United States; and

(2) Provide assistance to United States beef producers in market development, consumer education, and promotion of the beef industry in overseas markets.

The Secretary of the Treasury shall cease the transfer of funds equivalent to the duties on the beef retaliation list only when the European Union complies with the World Trade Organization ruling allowing United States beef producers access to the European market.

In a perfect world we would not need this legislation because the European Union would abide by its international trade commitments. And it is still my hope that the European Union simply comply with the WTO Dispute Settlement rulings and allow our beef to enter its borders.

Mr. President, the WTO is a critically important institution that sets the foundation and framework to make world trade grow. We all recognize that it needs improvement, and I, along with many of my colleagues, are working on ways to fix it. We must bring credibility and compliance to the system. The Trade Injury Compensation Act will give some relief to our producers as we strive toward this endeavor.

I thank my colleagues for their sponsorship of this measure and strongly urge support for its expeditious passage.●

By Mr. CAMPBELL (for himself, Mrs. HUTCHISON, Mr. LAUTENBERG, Mr. ABRAHAM, Mr. BROWNBACK, Mr. HUTCHINSON, Mr. GRAHAM, Mr. DODD, and Mr. FEINGOLD):

S.J. Res. 48. A joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act; to the Committee on the Judiciary.

THE HELSINKI FINAL ACT 25TH ANNIVERSARY RESOLUTION

Mr. CAMPBELL. Mr. President. Today in my capacity as Co-Chairman of the Commission on Security and Cooperation in Europe, I introduce a resolution commemorating the 25th anniversary of the Helsinki Final Act, one of the key international agreements of our time. I am pleased to be joined by all Senate Commissioners, Senators HUTCHISON, LAUTENBERG, ABRAHAM, BROWNBACK, HUTCHINSON, GRAHAM, DODD, and FEINGOLD, who are original cosponsors. A companion resolution also is being introduced today in the House by our colleague, Congressman CHRIS SMITH of New Jersey, who chairs the Helsinki Commission.

Five years ago, during the 20th anniversary celebrations in Helsinki, President Gerald Ford said: ''The Helsinki Accords, the Final Act, was the final nail in the coffin of Marxism and communism in many, many countries, and helped to bring about the change to a more democratic political system and a change to a more market-oriented economic system.'' Indeed, the Helsinki Final Act, signed by President Ford in 1975, marked the beginning of a process which has served U.S. interests in advancing democracy, human rights and the rule of law within a comprehensive framework covering the security, economic and human dimensions.

The legacy of Helsinki is especially historic with respect to what is now referred to as the ''human dimension.'' The Helsinki process—now named the Organization for Security and Cooperation in Europe (OSCE), is rightly credited with playing a contributing role in bringing down the Berlin Wall and Iron Curtain, and, in 1991, the Soviet Union. In short, the Helsinki process helped make it possible for the people of Central and Eastern Europe and the former Soviet Union to regain their freedom and independence.

Both Western governments and private individuals increasingly cited the Final Act, adopted by consensus, as a yardstick for measuring human rights performance, citing commitments which the violating governments freely undertook.

Human rights groups, including the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, Armenia, as well as in Czechoslovakia and Poland grounded their activities in the Helsinki principles. During the communist era, members of these groups often sacrificed their personal freedom and in some instances their lives for their courageous and vocal support for the principles enshrined in the Helsinki Final Act. The pressure of governmental efforts and public opinion in both East and West contributed greatly to change in the Soviet Union and Eastern Europe.

Responding to a dramatically changed, post-Cold War world, the OSCE has evolved into a useful institutional tool for addressing many of the challenges confronting Europe and the Euro-Atlantic community today. The OSCE is the one political organization that unites all the countries of Europe, including all of the former Soviet republics, the United States and Canada, to face today's challenges. One of the primary strengths of the Helsinki process is its comprehensive nature and membership, where current human rights, military security, and trade and economic issues can be pursued.

The OSCE, now expanded to 55 from the original 35 countries, has been working hard to minimize conflict and bring all sides together, especially in the last decade which has seen several horrible regional conflicts, including in Bosnia, Kosovo, and Chechnya.

The OSCE has played an increasingly active role in civilian police-related activities, including training, as an integral part of the Organization's efforts in conflict prevention, crisis management and post-conflict rehabilitation. It has also played an important role in promoting greater transparency through the adoption and implementation of various confidence and security-building measures designed to reduce the risk of conflict in Europe. Other challenges that the OSCE is increasingly addressing include the promotion of economic reforms through enhanced transparency for market economic activity, environmental responsibility, the importance of the rule of law and fighting organized crime and corruption. And, of course, human rights remains very much on the OSCE's agenda, including but not limited to, the eradication of torture, free media, respect for the rights of individuals belonging to national minorities, and ending discrimination against Roma and Sinti. Unfortunately, serious human rights abuses continue in all too many OSCE countries. The main challenge facing the participating States of the OSCE remains the implementation of the commitments contained in the Helsinki Final Act and other OSCE documents. The Helsinki Commission, which I co-chair, will continue to work in accordance with our mandate to monitor and encourage compliance by all the signatory States with their Helsinki commitments.

Mr. President, this resolution commemorates the 25th anniversary of the signing of the Helsinki Final Act and authorizes the President to issue a proclamation reasserting America's commitment to full implementation of the Helsinki Final Act, and request that he convey to all signatories that respect for human rights and fundamental freedoms, and democratic principles as well as economic liberty and the implementation of related commitments continue to be vital elements in promoting a new era of democracy, peace and unity in the OSCE region.

Twenty-five years after the signing of the Helsinki Final Act, the principles enshrined in that historic document remain valid and continue to serve as an important tool in advancing U.S. interests in a region stretching from Vancouver to Vladivostok. Therefore, I urge my colleagues to support this resolution.

Mr. President. I ask unanimous consent that the resolution be printed in the RECORD following my remarks.

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

S.J. RES. 48

Whereas August 1, 2000, is the 25th anniversary of the Final Act of the Conference on Security and Cooperation in Europe (CSCE),

renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995 (in this joint resolution referred to as the ''Helsinki Final Act'');

Whereas the Helsinki Final Act, for the first time in the history of international agreements, accorded human rights the status of a fundamental principle in regulating international relations;

Whereas during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas the United States Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas in the 1990 Charter of Paris for a New Europe, the participating states declared, ''Human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government'';

Whereas in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating states ''categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned'';

Whereas in the 1990 Charter of Paris for a New Europe, the participating states committed themselves ''to build, consolidate and strengthen democracy as the only system of government of our nations'';

Whereas the 1999 Istanbul Charter for European Security and Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, strengthening efforts to combat corruption, eradicating torture, reinforcing efforts to end discrimination against Roma and Sinti, and promoting democracy and respect for human rights in Serbia;

Whereas the main challenge facing the participating states remains the implementation of the principles and commitments contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating states have recognized that economic liberty, social justice, and environmental responsibility are indispensable for prosperity;

Whereas the participating states have committed themselves to promote economic reforms through enhanced transparency for economic activity with the aim of advancing the principles of market economies;

Whereas the participating states have stressed the importance of respect for the rule of law and of vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating states;

Whereas the politico-military aspects of security remain vital to the interests of the participating states and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an increasingly active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation; and

Whereas the participating states bear primary responsibility for raising violations of the Helsinki Final Act and other OSCE documents: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress calls upon the President to—

(1) issue a proclamation—

(A) recognizing the 25th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe;

(B) reasserting the commitment of the United States to full implementation of the Helsinki Final Act;

(C) urging all signatory states to abide by their obligations under the Helsinki Final Act; and

(D) encouraging the people of the United States to join the President and the Congress in observance of this anniversary with appropriate programs, ceremonies, and activities; and

(2) convey to all signatory states of the Helsinki Final Act that respect for human rights and fundamental freedoms, democratic principles, economic liberty, and the implementation of related commitments continue to be vital elements in promoting a new era of democracy, peace, and unity in the region covered by the Organization for Security and Cooperation in Europe.

ADDITIONAL COSPONSORS

S. 662

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

S. 764

At the request of Mr. THURMOND, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 764, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 796

At the request of Mr. WELLSTONE, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 796, a bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses.

S. 808

At the request of Mr. JEFFORDS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 808, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for land sales for conservation purposes.

S. 1087

At the request of Mr. HUTCHINSON, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1087, a bill to amend title 38, United States Code, to add bronchioloalveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1487

At the request of Mr. AKAKA, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1487, a bill to provide for excellence in economic education, and for other purposes.

S. 1592

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1592, a bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

S. 1594

At the request of Mr. KERRY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1594, a bill to amend the Small Business Act and Small Business Investment Act of 1958.

S. 1805

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

S. 1834

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1834, a bill to amend title XIX of the Social Security Act to restore medicaid eligibility for certain supplementary security income beneficiaries.

S. 2018

At the request of Mrs. HUTCHISON, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2050

At the request of Mr. REID, the name of the Senator from Arkansas (Mrs.