

fiscal year 2000 to fiscal year 2003 so that reimbursement may be provided to owners of U.S. fishing vessels illegally detained or seized by foreign countries. In 1998, there were not any claims filed under this law, but in 1996 and 1997, U.S. vessel owners were reimbursed over \$290,000 based on 261 claims for illegal transit fees charged by Canada. Because this provision of the law has expired, the bill will ensure that U.S. vessels who are illegally seized or fined are able to seek reimbursement.

Second, the bill establishes a panel to advise the Secretaries of State and Interior on Yukon River Salmon management issues in Alaska. In 1985, the United States and Canada signed the Pacific Salmon Treaty. This treaty established a framework with which to bilaterally manage their shared salmon stocks. Ten years later, the countries signed an interim agreement regarding management of the stock of salmon in the Yukon River. The United States implemented the agreement on Yukon River salmon through the Fisheries Act of 1995, creating a Yukon River salmon panel and advisory committee.

When the interim agreement expired in 1998, it was unclear whether the advisory panel was still authorized to recommend salmon restoration measures. This bill codifies the Yukon River Salmon Panel, established under the 1995 interim agreement, to advise the Secretary of State on Yukon River Salmon management, advise the Secretary of Interior on enhancement and restoration of the salmon stocks, and perform other activities that relate to the conservation and management of Yukon River salmon stocks. H.R. 1651, as amended, also authorizes \$4 million a year for each of fiscal years 2000 through 2003. Up to \$3 million of these funds can be used by the Departments of Commerce and Interior for survey, restoration, and enhancement projects related to Yukon River salmon. In addition, the reported bill authorizes \$600,000 for cooperative salmon research and management projects in the United States portion of the Yukon River drainage area that have been recommended by the Panel.

Third, the bill, as amended by the Commerce Committee, authorizes \$60 million for each of the fiscal years 2002 and 2003 for the Secretary of Commerce to acquire two fishery research vessels. These vessels are one of the most important fishery management tools available to federal scientists. Because they conduct the vast majority of fishery stock assessments, their reliability is critical to fishery management. Species abundance, recruitment, age class composition, and responses to ecological change and fishing pressure can all be studied with these research platforms. The information obtained using them is critical for the improvement of the regulations governing fisheries management.

In New England, there is only one NOAA research vessel—the *Albatross IV*. This vessel is 38 years old, at the

end of its useful life, and practically obsolete. Despite this, the vessel continues to collect the survey data that is used for management decisions regarding valuable Northeast fisheries stocks, including cod, haddock and herring. A replacement vessel is crucial to maintaining the existing ability to collect the long term fisheries, oceanographic, and biological data necessary to improve fishery management decisions. According to the Commerce Department, the deterioration of the *Albatross IV* has created an urgent need for a replacement vessel in the Northeast.

Finally, the bill also addresses the use of spotter aircraft in the New England-based Atlantic bluefin tuna (ABT) fishery. Mr. President, in 1998, the Highly Migratory Species Advisory Panel, established under the Magnuson-Stevens Fishery Conservation and Management Act, unanimously requested and advised the Secretary of Commerce to prohibit the use of spotter aircraft in the General and Harpoon categories of the ABT fishery. The use of these planes can accelerate the catch rates and closures in the General and Harpoon categories. In turn, the accelerated catch rates can have an adverse impact on the scientific and conservation objectives of the highly migratory species fishery management plan and the communities that depend on the fishery. Moreover, the use of such aircraft has resulted in an unsafe and often hostile environment in the ABT fishery.

Over two years ago, NMFS issued a proposed rule to adopt the Advisory Panel recommendation. Unfortunately, NMFS has delayed the rule time and again, and ultimately failed to finalize it. Consequently, it has become necessary to take legislative action on the issue. This bill adopts the Commerce Secretary's Advisory Panel recommendation and prohibits the use of spotter aircraft in the General and Harpoon categories of the Atlantic bluefin tuna fishery.

I thank Senator KERRY, the ranking member of the Oceans and Fisheries Subcommittee for his hard work and support, especially with regard to the provisions related to the NOAA fishery research vessels and the Atlantic bluefin tuna fishery. Both of these provisions are quite important in New England. I would also like to express my appreciation to Senator MCCAIN, the Chairman of the Commerce Committee and Senator HOLLINGS, the ranking member of the Committee for their bipartisan support of this measure. I urge the Senate to pass H.R. 1651, as amended.

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

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

The amendments were ordered to be engrossed and the bill was read the third time and passed.

#### ENERGY COSTS

Mr. THOMAS. Mr. President, we are focusing today on energy and energy costs, which is something of which each of us is certainly aware. I suspect there is more exposure to gasoline prices than any other particular price. As we drive down Main Street in our hometowns, on every block we see a big sign showing the price of gasoline, and it certainly changes.

I wanted to go back a little, however. As the Senator from Arizona mentioned, there is a background here. I think there are several reasons, of course, why we have the price difficulties we have now. It is a complex story. It has to do with global supply and demand. It has to do with technological change and environmental consciousness, the shifting of consumer tastes, and social order. It also, of course, has a great deal to do with restrictions and regulations that have been imposed.

But one of the other things it has to do with is the availability and access to public lands. About 54 percent of the surface of this country belongs to the Federal Government. Most of that, of course, lies in the West. The State ownership in my State of Wyoming is about 50 percent of the total. It goes up to as high as 90 percent of the total in Nevada and Alaska and other States. So the idea of multiple use and access to these lands becomes a very important factor, not only for resources such as oil and gas, but equally important and perhaps even more important, often, for recreation, access for hunting and fishing recreation. We have seen, in recent months, an even more focused effort on the part of this administration to reduce access to public lands, to make it more difficult for the people who own those public lands to have an opportunity to utilize them.

After all, I happen to be the chairman of the Subcommittee on National Parks. The purpose of a national park, of course, is not only to preserve the resource, the national treasure, but to make it available for the people who own it to use it; that is, the taxpayers of this country. It is true, parks are quite different than BLM lands, quite different than Forest Service lands, but the principle is still there; that we ought to preserve that resource and at the same time have multiple use so its owners can enjoy it for recreation, can enjoy it for hunting or fishing, so the economy of this country and the economy of this particular State can be enhanced by the multiple use of those resources.

As we move into different ways of prospecting for oil and different ways of mining, different ways of using snowmobiles and so on, we find we have a better opportunity, as time goes by, to use those resources without causing damage.

Particularly towards the end of this administration, and it has been stated very clearly by the Secretary of Interior and Assistant Secretaries of Interior, they are going to make a mark here. The President has indicated he would like to change his legacy to be like that of Theodore Roosevelt, who did all these things for public lands. The Secretary himself said: If the Congress is not going to do this, we will go ahead and do it without them.

That is a real challenge to one of the strong principles of this Government, the principle of divided government. We have it divided in the Constitution so we have the executive branch, we have the legislative branch, and we have the judicial branch. We have that separation for a very important reason. That is so none of those three branches is able to assume all the responsibility and all of the authority—and, frankly, very little of the accountability.

What we have seen in the last few months is a movement by the administration to go out on its own and make a bunch of regulations and do things, under the Antiquities Act, which reduce the availability of the lands for people who own them to enjoy them; for example, setting aside 40 million acres of forest lands as roadless. There are several problems with that. I don't particularly have any problem with some of that. We have lots of forest lands in my State, and I am glad we do. My parents' property, their ranch, where I grew up, was right next-door to a national forest. There is nothing I care more for.

But the fact is, we ought to have a system for deciding how we handle these lands. Instead of using the forest plan which is what the system is supposed to be, for instance, in the Black Hills we spent 7 years and \$7 million doing a forest plan, and now the bureaucrats here in Washington decide we are going to have a national roadless area, without accommodating the people with an opportunity to discuss it for each of the forests, and without coming to the Congress.

Now there are a series of meetings going on which the Forest Service talks about a lot, but I have attended some of those and the fact is when you go, they are not able to tell you really what the plan is. So no one has a chance to react. So what we have, in effect, is the opportunity to avoid this.

The people I have heard from, who feel very strongly about it—some happen to be disabled persons, some happen to be veterans—say: Wait a minute, we don't need a road everywhere. But we need enough roads to have access so people who cannot walk 17 miles with a pack on their back still have the opportunity to take advantage of that resource that is so important. So I think that is one of the things that is very difficult.

The Bureau of Land Management also put out a ruling on off-road usage. I don't have any problem with that either. We ought not to have four-wheel-

ers going everywhere. We ought not to have roads going everywhere. But we ought to have a plan so people can have access by at least having a road for access. You don't need five roads; I understand that. So there needs to be a plan.

The Antiquities Act is a very important act. In fact, it was very important to my State of Wyoming with respect to the Devils Tower and the Grand Teton National Park; it gives the President the authority to set aside certain lands in special use. Relatively little of that has happened over the last few years, but this President in the last 6 months has set aside hundreds of thousands of acres, without the involvement of anyone. That is not the system. This is the same administration that wants to do an environmental impact statement on everything that is done, so you could have public input. I am for that. I pushed very hard to have the opportunity for local governments to be involved in the decisions that are made and impact their States. There are no such decisions here, just one made by this administration.

Now we have what is called a CARE Act, to take \$3.5 billion from offshore royalties and have it as mandatory spending, where the Congress has nothing to do with deciding how use of that money is planned, \$1 billion a year to be used for the acquisition of more and more Federal lands. We feel very strongly about that in the West. It doesn't mean there are not pieces of land that need to be acquired, need to be set aside—no one opposes that. But the fact is, if you want to acquire more land in Wyoming, which is already 50 percent Federal owned, why not go ahead and acquire it and then release an equal value of Federal lands somewhere else so you don't have a net gain. That is a reasonable thing to do and we intend to pursue that, in terms of this CARE Act.

The endangered species, again, who argues with endangered species, trying to protect the critters? The fact is, however, there has been no involvement in the listing of the animals; there has been very little opportunity to find a recovery plan. We have had grizzly bears listed now for 10 years around Yellowstone Park. The numbers have far exceeded the goal that was set. But you can talk about habitat forever and they continue to be there. We just have to manage this public land so it is available and useful.

The Clean Water Act, nonpoint-source clean water, has also been used to manage land.

That is where we are. Interestingly, the latest one has been the proposal to ban snowmobiles from Yellowstone Park—in fact, from 27 parks. Again, I don't argue that there needs to be more management of these vehicles so you ought to do something about the noise, ought to do something about the air emissions, ought to do something about separating them so we have a

snow team over here, we can have cross-country skiers over here, without interfering with each other. The fact is, the Park Service over 20 years has never done anything to manage this thing.

Now all of a sudden they say: It is not going the way it ought to, so we are going to ban it for everyone. That is not a good way to manage a resource.

We find an increasing bureaucratic self-declaration that they are going to do these things, and if the Congress does not like it, that is too bad. That is not the way this Government is designed to work. Quite frankly, we cannot let that happen.

How does this tie into energy? As I mentioned before, almost 55 percent of public land in the West belongs to the Federal Government. Most of the opportunities for resource development have been on these Federal lands in the West. They have been a very important part of the State economies. They have been a very important part of the natural production.

Over the last several years, it has become more and more difficult, because of regulations and rules, for people to go on these lands and produce resources, even though they very clearly, under the law, have to reclaim the land, whether it is mining or oil wells. We have an increased demand for energy on the one hand and a reduction in production on the other, and we are certainly a victim of overseas production.

Americans consume over 130 billion gallons of gasoline, almost four times as much as 50 years ago. Consumption has grown at a rate of 1.5 percent. That translates to about 8.4 million barrels a day, which is 45 percent of the total oil production. There is increased usage, a reduction in domestic production, and we are at the mercy of OPEC.

It is also interesting that in 1999, the tax component of gasoline was approximately 40 cents a gallon, or about 34 percent of the total cost. Interestingly enough, the price component of a gallon of gas, crude oil, and taxes is about equal: 18.5 cents is Federal and 20 cents is the average State tax that is levied on top.

We also find ourselves with additional restrictions and regulations, put on this year, with making some changes in our policy if we are to deal with this increased demand. Obviously, there are a number of things that ought to be done over time.

We ought to take a look at consumption and continue pushing for high-mileage vehicles and reduce demand.

We need to take a look at domestic production so we are not totally dependent on imported energy.

We need to take a long look at the regulations and see if there are alternatives and whether they can be more economical, and whether, in fact, what we are doing has been thoroughly thought through. I am not sure that has been the case.

I have no objection to taking a long look at the pricing of gasoline as well. It is interesting that there is such a great disparity in prices in different parts of the country. Perhaps there is a good, logical reason for that. If so, we should know about it.

I hope our energy policy does not become totally political. The fact is, we have not had an energy policy in this administration. We have held hearings in our committee, not only with this Secretary of Energy, but the previous two Secretaries of Energy. One says: Yes, we are going to have a policy. The fact is, we do not. The fact is, we have not been able to fully utilize coal. We have not been able to take advantage of nuclear power by stalling in getting our nuclear waste stored. There are a lot of things we need to do and, indeed, should do. It is unfortunate we have not had the cooperation from this administration.

#### SOCIAL SECURITY

Mr. THOMAS. Mr. President, I wish to talk about a conversation I heard yesterday on the Sunday talk shows. It is too bad that on the Sunday talk shows the issues are not more clearly defined.

This talk show was on Social Security and options, which are clearly legitimate options. The options separate the points of view of the parties and the candidates. I am talking about taking a portion of the Social Security program, as it now exists for an individual, and putting it into his or her private account and investing it in the private sector in equities or in bonds or a combination of the two. The return stays with this person because it is their account.

Out of the 12.5 percent that each of us pay—and each of these young people will pay in the first job they have, and if something does not happen by the time they are ready for benefits, there will be none. We have to make some changes.

One of the changes we can make, of course, is to increase taxes. There is not a lot of enthusiasm for that. For many people, Social Security is the highest tax: 12.5 percent right off the top.

The second change is we could reduce benefits. Not many people are interested in reducing benefits.

The third change is to take those dollars that are put into the so-called trust fund and invest them for a higher return. Under the law, those dollars can only be invested in Government securities which, in this case, is a very low return.

We are talking about taking those same dollars that belong to you and to me and putting them in individual accounts. They can be invested, and the earnings would be part of that person's Social Security payment.

Yesterday, the implication was that would be a part of it, and then we have to fix up Social Security and replace

all the money that is put in these private accounts. That is not the fact. The fact is, they are still part of Social Security, but they are yours. You make a decision how they are invested, and then you get your 10 percent, as it always is, plus the return to the 2 percent on top of that, and that represents your benefits.

The lady yesterday representing the Clinton administration indicated we would have to replace all those dollars and go ahead with Social Security as it is. That is just not the fact.

This is an opportunity for us to increase the return, to ensure those dollars and those benefits will be there when the time comes for someone to receive them, and to do that without increasing taxes, without reducing benefits, but by simply taking advantage of the opportunity of a better return on the investment.

A couple of Senators are going to be here shortly. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### GAS PRICE CRISIS

Mrs. HUTCHISON. Mr. President, I rise today to talk about an issue that has been discussed by Senator THOMAS, and others, just before I came to the floor. It is also an issue that every American who drives a car has on his or her mind.

No one could fail to see the impact the high price of gasoline at the pump is having on hard-working Americans and American families at the end of June who are looking to take their family vacations. They hope to do it by car. I hope they can, too. But we have a situation with regard to gas prices that has occurred for a number of reasons. And because Congress and this administration have not acted, we have a worse situation than ever.

I will talk a little bit about some of the causes of this. But I do not think we have to dwell on the causes all day because I think we can do something proactive that will begin to be a solution—both a short-term solution and a long-term solution.

First, the causes. Clearly, we have an incredible dependence on foreign oil today. Seven years ago, we had about a 46-percent dependence on foreign oil; today, it is 56 percent; and it is projected to be 65 percent of our oil needs by 2020. So I think it is incumbent on all of us in public office to try to take short-term steps to solve the immediate crisis, particularly in the Midwest, but not without taking long-term action as well.

We have a bill that is pending at the desk today. It is the National Energy

Security Act. It would take some steps, putting some things on the table that would make a difference for our country and for the working people of our country who depend on gasoline.

Let's look at some of the causes for the gas price crisis now being seen in the Midwest and elsewhere. The Congressional Research Service has attribute 25 cents of every gallon of gasoline at the pump in certain parts of the Midwest to the reformulated gas phase 2 requirement that the EPA is insisting on imposing beginning June first of this year. These additional costs are the result of the added expense of adjusting the refining process for the new gasoline requirement, particularly when the gasoline is required to be blended with ethanol, as is the case in the Midwest. In addition, there are added costs of transporting the ethanol, which cannot be moved via pipeline, to the sites where the gasoline is blended and distributed. Other additives, such as MTBE, are readily available at the refineries and so you have reduced transportation costs. You can put the MTBE—which was the requirement in the past—in at the refinery and send it to places such as Illinois, Wisconsin, and Michigan—the places that are suffering right now—but the ethanol has to be carried from the agricultural areas, where it is grown, put into a new system in the refineries, and then shipped back to the Midwest. So you are talking about time, shortages, and costs that have added 25 cents per gallon. CRS estimates that an additional 25 cents of the increase in Midwest gas prices is attributable to recent problems with oil and gas pipelines that feed the upper Midwest, which have come at a time when gasoline stocks nationwide are particularly low and when the demand for gasoline is on the rise.

With regard to the EPA requirements, we had hoped the EPA would say, OK, we are facing a crisis right now, so maybe for this summer we can relax those new EPA regulations and go with what has been the regulation of the past.

Secondly, it is very important to realize that each State and many local governments impose additional taxes on gasoline at the pump. It just so happens that many of the midwestern States and cities within those States have higher taxes than the average in the country. The average combined federal and state gasoline excise tax is about 40 cents per gallon. In Chicago, Illinois, however, it is 61.3 cents per gallon. In Milwaukee, Wisconsin, it is 47.2 cents per gallon. So we can see that there are wide differences across the country in taxes of gasoline.

I commend the Governors of these States who are seeing the crisis and responding immediately. The Governor of Indiana has put a moratorium on the State sales tax on gasoline. The Governor of Illinois is calling a special session of the legislature to review taking similar action.