

agree to customary international law standards for expropriation. The Treaty includes detailed provisions regarding the computation and payment of prompt, adequate, and effective compensation for expropriation; free transfer of funds related to investments; freedom of investments from specified performance requirements; fair, equitable, and most-favored-nation treatment; and the investor's freedom to choose to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this Treaty as soon as possible, and give its advice and consent to ratification of the Treaty at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 5, 2000.

To the Senate of the United States:

I transmit herewith, for the Senate's advice and consent to ratification, the Protocol Amending the 1950 Consular Convention Between the United States of America and Ireland, signed at Washington on June 16, 1998. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol expands the scope of tax exemption under the 1950 Consular Convention Between the United States of America and Ireland to provide for reciprocal exemption from all taxes, including Value Added Taxes (VAT) on goods and services for the official use of the mission or for the personal use of mission members and families. The amendment will provide financial benefit to the United States, both through direct savings on embassy purchases of goods and services as well as through lowering the cost of living for United States Government employees assigned to the U.S. Embassy in Dublin.

Because the Protocol will achieve long-term tax exemption on the purchase of goods and services for our embassy and personnel in Ireland, I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 5, 2000.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Panama for the Return of Stolen, Robbed, or Converted Vehicles and Aircraft, with Annexes, signed at Panama on June 6, 2000, and a related exchange of notes of July 25, 2000. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicle treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders.

Like several in this series, this Treaty also covers aircraft. When it enters into force, it will be an effective tool to facilitate the return of U.S. vehicles and aircraft that have been stolen, robbed, or converted and taken to Panama.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes and a related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 5, 2000.

ORDER OF PROCEDURE—S. 1608

Mr. DOMENICI. Mr. President, I ask unanimous consent, with respect to the consent agreement relating to consideration of S. 1608, that time allowed for vitiation be extended to no later than 12 noon on Thursday, September 7.

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

REFERRAL OF H.R. 1102

Mr. DOMENICI. Mr. President, I ask unanimous consent that H.R. 1102 be referred to the Committee on Finance.

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

ORDERS FOR WEDNESDAY,
SEPTEMBER 6, 2000

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Wednesday, September 6. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume debate on the motion to proceed to H.R. 4444, the China legislation.

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

PROGRAM

Mr. DOMENICI. Mr. President, when the Senate convenes at 9:30, postcloture debate on the motion to proceed to the China legislation will resume. It is hoped that an agreement can be reached to begin debate on the substance of the bill during tomorrow's session in an effort to complete action on that by the end of this week.

The Senate will also continue debate on the energy and water appropriations bill during tomorrow evening's session with amendments expected to be offered.

As a reminder, the Senate will consider the China trade bill and the energy and water appropriations bill on a dual track each day this week with votes expected throughout the week.

ORDER FOR ADJOURNMENT

Mr. DOMENICI. Mr. President, if there is no further business to come be-

fore the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of Senator REID of Nevada.

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

The Senator from Nevada is recognized.

ENERGY AND WATER
APPROPRIATIONS ACT, 2002

Mr. REID. Mr. President, as always, I appreciate the hard work the chairman and his staff put into drafting this annual appropriations bill.

They have done an excellent job in pulling this bill together and I appreciate the cooperative manner with which he and his staff have worked with my staff. I also appreciate the consideration he has provided to the requests of all Members.

This subcommittee received over 1,000 requests from Members this year and majority and minority staff have combed through all of them.

As always, we are not able to accommodate as many of them as we would like, and, frankly, not even as many as we need to.

There are a great many things to like in this bill:

Solid funding for the programs to keep our nation's nuclear arsenal safe and secure.

Strong Army Corps and Bureau of Reclamation funding for work already underway.

First time funding for the Delta Regional Commission.

Also, for the first time in many years, the bill contains nearly full funding for the Solar and Renewable Energy programs.

I want to thank the Chairman of the Subcommittee, Mr. DOMENICI, for working with me to send some more resources to renewables.

We received a bipartisan letter, signed by 56 of our colleagues, requesting full funding for the Solar and Renewable accounts in this bill. I am delighted to report that we have come very close to doing so.

I believe that the Solar and Renewables programs are essential to our nation's long-term energy security and appreciate your consideration, Mr. Chairman.

As we have discussed, I am committed to producing a final energy and water conference report that is balanced and takes into account the wide variety of activities that we are called upon to fund.

Unfortunately, I do not believe that we can do justice to the non-defense side of our bill without additional resources.

There are also several controversial items, including no funding for CalFed, no funding for the removal of a uranium tailings pile on the shore of the Colorado River near Moab, and the inclusion of several policy riders that will all need to be resolved in conference, or possibly here on the floor.

Additionally, it is my understanding that the administration has issued a veto threat over several issues, including:

1. Language prohibiting the Secretary of Interior from allocating water from the Central Arizona Project; and

2. A provision that prohibits the Army Corps of Engineers from updating the Missouri River Operators Manual; this provision also involves the Endangered Species Act.

This second item will be the subject of a fairly extensive debate here on the floor between Senators DASCHLE and BAUCUS and Senator BOND and others.

I take the veto threat seriously and encourage other Members to do the same.

While I am not inclined to encourage Members to vote against this bill at this time, it is my hope and expectation that these matters can be worked out either here on the floor or in conference.

In short, the vote count on this bill today or whenever we vote should not be considered indicative of the way I or other Members will vote if the President vetoes this bill.

That said, given the unfortunate financial constraints that the subcommittee had to work with—which I will discuss in a moment—this is a good bill overall. I support it and encourage my colleagues to do the same.

My overall message is simple today: This subcommittee simply does not have the resources it needs to do the job that Congress, the administration, and the American people expect of us.

I am not pointing fingers or attempting to assign blame: I am simply stating a fact.

This is a very important appropriations bill, one where we are asked to pay for a broad array of programs critical to our nation's future. We fund:

The guardians of our nation's nuclear weapons stockpile.

Our nation's flood control and navigation systems, infrastructure that contributes to human safety and economic growth.

Long-term research, development, and deployment of solar and renewable technologies, programs critical to our nation's long-term energy security and environmental future and;

Science programs that are unlocking the human genome and other breakthroughs that help to keep the U.S. at the scientific forefront of the world.

All of these are areas that are critical to our nation's independence and security, yet, year after year, this subcommittee is called upon to gut one or more of these programs to pay for other energy and water programs, or spending in other subcommittees.

We cannot continue to do this. These activities are too important.

While most of these comments focus on our shortfalls on the non-defense side of our ledger, they hold true for the defense programs, as well.

The subcommittee allocation for non-defense activities of the Bureau of

Reclamation, the Army Corps of Engineers, the Department of Energy and others is over \$600 million below the President's request.

Such a huge funding shortfall has required the subcommittee to impose strict limits on the types of projects that can be funded this year.

For example, as Chairman DOMENICI mentioned, there are no new construction new starts for BOR or the Army Corps in this bill.

As you can imagine, it is difficult to tell my colleagues that a fully authorized water project, one that is completely ready to go, has no shot at a construction new start this year. Only on-going work—usually at a dollar level well below the President's request—and a handful of new studies.

This is no way to run a robust national program.

But this year's numbers really only tell part of the story. All of us know, we have good financial years and bad financial years around here. However, short-falls year in and year out in the water accounts of the Army Corps have now resulted in a backlog of \$45–\$50 billion in fully authorized projects that are awaiting the first dollar in funding.

This shortfall just takes into account the Corps' historic mission of navigation and flood control and does not take into account some of the new directions that Congress has pushed the Corps in recent years.

It is wrong to give short shrift to important components of our nation's critical infrastructure. Flood control protects human lives and property; navigation projects ensure that our nation's economic engine continues to hum.

I think it is important to take a few minutes to review our "critical water infrastructure" and what it means in real terms to this country.

Our Nation's water resources infrastructure, developed over the past two centuries, has improved the quality of our lives and provided a foundation for the economic growth and development of this country.

Water supply systems, water treatment systems, flood protection projects, and water transportation systems all contribute to our national prosperity.

Our current economic expansion can be directly traced, at least in part, to investment decisions made by our forebears in this body to develop the nation's water resources.

They had the forethought to make these tough investment decisions and fortunately they are still paying dividends today.

The water infrastructure provided by the Army Corps alone provides an annual rate of return of approximately 26 percent. The stream of benefits are realized as flood damages prevented, reduced transportation costs, electricity, recreation, and water supply services.

Navigable channels provide an efficient and economic corridor for moving more than 2 billion tons of the Nation's

domestic and foreign commerce. The value of this commerce is in excess of \$660 billion.

Total jobs generated are about \$13 million and Federal taxes generated by this commerce is estimated at nearly \$150 billion. For every dollar invested to improve navigation infrastructure, U.S. Gross Domestic Product rises more than \$3 dollars.

About 660 million of the 2.2 billion tons of cargo are moved on the nation's inland waterway system. That equates to 440,000 barges.

To move this cargo by alternative means would require an additional 17.6 million trucks on our nation's highway system or an additional 5.8 million rail cars on the nation's rail system.

That is a considerable amount of traffic to add to these overburdened systems.

The Army Corps manages 383 major lakes and reservoirs for flood control and has 8500 miles of levees in place. The flood protection provided by these structures, on average, prevents \$20 billion in damages per year. That is a saving of \$6 for every dollar invested in flood control projects.

Thousands of cities, towns and industries rely on the roughly 9.5 million acre feet of water supply storage from 116 lakes and reservoirs in the U.S. built by the Army Corps.

Army Corps owned and operated hydroelectric power plants produce enough electricity to supply almost 5 million homes with power. That is 24 percent of the total U.S. hydropower capacity of 3 percent of total U.S. electric capacity. Additionally, these plants annually return over half a billion dollars to the Federal Treasury.

Coastal projects protect almost 500 miles of our nation's critical eroding shoreline.

Over 30 percent of the recreation and tourism occurring on Federal lands takes place on Army Corps water resource projects. These visitors spend \$10 billion annually on these recreational pursuits resulting in over 600,000 full and part-time jobs.

In addition to the direct benefits provided by this water infrastructure, substantial secondary or indirect economic benefits are realized.

I am also very familiar with the great work that the Bureau of Reclamation does for the 17 Western states, including mine. Its facilities include: 348 reservoirs providing 245 million acre-feet of water storage for municipal, rural and industrial uses to over 31 million people in the Western states. Irrigation water to 1 in every 5 western farmers for about 10 million acres of irrigated land.

Additionally, the Bureau is the second largest producer of hydroelectric power generating 40 billion kilowatt hours of energy each year from 58 powerplants. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits.

The great urbanization of the west could not be accomplished without

their management of scarce water resources.

Unfortunately, in recent years national investment has not kept pace with our level of economic and social expansion.

Public infrastructure investments including those for water resources infrastructure in 1960 amounted to 3.9 percent of the Gross Domestic Product.

Today the figure is more like 2.6 percent of the GDP.

That may not sound like much of a change, but let's look at the Army Corps during that period.

In the mid 1960s, the country was investing \$4.5 billion annually in new water infrastructure, today it is less than \$1.5 billion (measured in 1996 dollars).

Our water resources needs are no less today than they were 40 years ago. Yet we are investing one third as much.

One major impact of that reduction is the increasingly drawn out construction schedules forced by underfunding these projects.

These artificially lengthened schedules cause the loss of some \$5 billion in annual benefits and increase the cost of these projects by some \$500 million.

Failure to invest in maintenance, major rehabilitation, research and development, and new infrastructure has resulted in the gradual reduction in the value of our capital water resources stocks, and in turn the benefits we receive.

The value of the Army Corps' capital stock peaked in 1981 with a replacement value of \$150 billion. Today its estimated value has decreased to \$124 billion measured in 1995 dollars.

The Army Corps' estimates that their backlog for critical maintenance work is \$400 million and is projected to grow by \$100 million per year at current funding levels.

Our Nation's water infrastructure continues to perform as designed, but evidence of the need for reconstruction or modernization is becoming evident.

Some facilities have reached their capacity and some have reached the end of their design lives. New or shifting populations and growth have created unmet demands.

Finally, society's values are increasingly emphasizing sustainability and ecological considerations in water infrastructure management and development.

As you can see, I am one who firmly believes that investments in our nation's infrastructure more than pay for themselves through improved productivity and efficiency. To ignore these needs in the short term is going to cause us problems over the long haul.

Before I close today, I want to say some words of praise for the federal employees and contractors that populate the Departments, Agencies, and other organizations that are funded under this bill.

In the last year there has been a considerable amount of press and congressional attention surrounding issues

such as security lapses at our National Labs and criticism of processes and procedures at the Army Corps.

From time to time we summons the political leadership of these organizations to the Hill to criticize, chide, or impress upon them the wisdom of our thinking. Often, it can be a pretty warm seat that we put them on.

None of that is to suggest that the Members of this body are anything other than respectful and proud of the hard work and accomplishments of our federal workforce, including contractors, lab employees, and others that make these important organizations run.

We expect a lot of you and, with very few exceptions, you live up to all of the expectations and demands that we impose on you. You serve your nation with distinction and we appreciate it.

I thank the Chairman, and the subcommittee staff for all of their hard work in getting us to this point. His team of Clay Sell, David Gwaltney, and LaShawnda Smith have been great to work with. On the minority staff, I want to say a word of thanks to Roger Cockrell, who is on detail from the Army Corps of Engineers office in Vicksburg, Mississippi, and Liz Blevins of the subcommittee staff.

NATIONAL IGNITION FACILITY FUNDING

Mr. REID. Mr. President, I rise in support of the Brownback amendment.

The National Ignition Facility has become a shining example of how not to build large national facilities.

When this project was first proposed by the Department of Energy several years ago, DOE sold this project to me and other Members as a cornerstone of our nation's science-based Stockpile Stewardship program.

Leaders from DOE and the Lawrence Livermore National Lab came to me at a time when many Members of the Senate, including Chairman DOMENICI, were somewhat skeptical that NIF was actually needed.

They assured me that NIF was absolutely vital to national security and that it would be brought in on time and within budget.

Based on that, I came to bat for NIF and convinced many of my colleagues to support it.

I regret it.

In my estimation, DOE lied to me.

They sold me a bill of goods and I am not happy about it.

It is now several years later and the project is hundreds of millions of dollars over budget and years behind schedule.

The administration has undertaken a re-baselining activity in the last year that they believe will put this project back on a glidepath to completion.

Our subcommittee has provided (temporarily) \$74.5 million for the project. The administration wants another \$135 million this year and hundreds of millions of dollars more on top of the

original baseline per year over the next 7 years to get this thing done (3-5 years late).

That is what they say now. By the time we are actually done, it will be billions.

Enough is enough.

There is plenty of skepticism in the scientific and national security community as to whether we will ever be able to get the information we need to certify our stockpile from NIF.

I believe there are other, cheaper ways to get this job done and I think it is time to go back to the drawing board and find a new path forward.

I cannot tell you how angry I am that DOE and all of the national labs consistently do this sort of thing to Congress:

They overpromise and under-deliver at a vastly inflated price.

I say, enough is enough.

This is nothing personal against Livermore.

If the next big thing at Los Alamos or Sandia runs dramatically over-budget I will be down here again to express my outrage.

I have been a Member of Congress and the Senate too long to watch as administration after administration comes up here to whisper sweet nothings in my ear and then jack up the price a year or two later.

Let me clear about one thing: I have nothing but respect for the thousands of men and women who populate our nation's weapons labs.

The scientists of Lawrence Livermore, Sandia, and Los Alamos are amongst the most brilliant, dedicated, patriotic and creative people on Earth.

The contributions they have made to our nation's national security are too numerous to count.

In recent years, I have had two Fellows from Lawrence Livermore, Larry Ferderber and Bob Perret, serve in my personal office. They both did exceptional work for me, for Nevada, and for our nation. They both served me very well for many years.

It is a shame that the highest levels of leadership at DOE and at Livermore have not served their employees and the American people with equal distinction.

Mr. President, I yield the Floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask to speak for 30 seconds.

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

Mr. DOMENICI. Mr. President, I thank Senator REID for his comments and his cooperation. We still have a few days to go. The picture presented with reference to the nondefense portion of this bill, in particular, is absolutely true. I cannot figure why the House and Senate in their overall scope of allocating money continue to underallocate for nondefense when Senators and House Members probably request more of us in the nondefense part of this bill than any bill, except perhaps the interior appropriations bill.