

on the edge of their seats learning more than they ever wanted to know about the Missouri River. It is important to us. It is vitally important to Missouri and other downstream States.

We do disagree with some of the statements that have been made by my colleagues on the other side. We have a disagreement on the interpretation and I think a disagreement on the facts.

The statement has been made that the Fish and Wildlife Service's split season does not have any impact on the river flows in the Mississippi River. That has not happened. The Fish and Wildlife Service proposal, according to the Corps of Engineers' advice to us today, has not happened. That is not accurate.

I believe strongly the spring rise will take water out of upstream reservoirs. They need that water for recreation. I have worked very closely with my friend and colleague from Montana, and others, to do what we can to accommodate legitimate recreation needs. My colleague from Montana was a very valuable ally when we pushed through the middle Missouri River habitat mitigation plan that made changes that we think are improving fish and wildlife habitat along the Missouri. I thank him for that.

When he says the models show there is a statistically insignificant impact downstream, any kind of spring rise in any year which is an exceptional flood year is going to have exceptional and disastrous impacts. Look at it in a low-flow year. It may not make much difference, but if you put that spring surge down the river in a year when we get that unexpected 6-inch, 8-inch, 10-inch, 14-inch rise, we have a devastating flood that not only wipes out property and destroys facilities along the river but puts lives at danger.

The statement was made that fish and game agencies are united behind this plan. They are not. This is one of the big questions that needs to be resolved. Resolution of those questions can and must go on during the coming year. We do not stop all of the agencies from continuing the discussions and debate. Contrary to what has been said on this floor by the proponents of the motion to strike, we only say you cannot implement the spring rise.

This risky scheme needs to be thoroughly worked out, thoroughly debated, before anybody has a thought of putting it into action. That is why we want to have a year with no spring rise implemented as ordered by the diktat of the U.S. Fish and Wildlife Service in their letter of July 12.

The statement was made that the consensus of the States in the Missouri River Basin Association was in favor of a spring rise. There is a difference between a spring rise in the upper part of the river which is above the dams, above Gavins Point, which makes the difference on what the flows are in Missouri, Kansas, Iowa, and Nebraska.

The Missouri River Basin Association recommends trial fish enhancement

flows from Fort Peck Reservoir. The enhanced flows will be coordinated with the unbalancing of the upper basin reservoirs and thus will occur approximately every third year. This is in the upper basin. It does not have any impact directly downstream.

With respect to the lower Missouri River, which is below the last dam—that is, Gavins Point releases—the statement of the Missouri River Basin Association is that it recognizes the controversial nature of adjustment to releases from Gavins Point Dam. MRBA recommends the recovery committee investigate the benefits and adverse impacts of flow adjustment to the existing uses of the river system. They did not, have not, and are not recommending increased flows.

This effort by the Fish and Wildlife Service to impose their views over the views not only of the neighbors of the people downstream who have studied it, the fish and wildlife agencies, this is a risky scheme that provides tremendous potential for a flooding disaster along the Missouri River, and I urge my colleagues tomorrow to oppose the motion to strike.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I want to say it has been a good debate. Our views have been aired. I deeply respect that different Senators might have different points of view on this issue. After all, that is why we run for this job. That is why we are here. We all have various points of view. I do not want to be corny, but that is what makes democracy strong—various points of view.

I very much respect and appreciate my good friend from Missouri and others who are arguing to include this provision in the appropriations bill to prevent the spring rise. My basic point is we have different points of view on this. My basic point is let the process work, do not preempt it. There will be plenty of opportunities for comments on the draft opinion and on whatever alternative the Army Corps of Engineers picks. There are lots of different options. Let's not prejudge it by saying it cannot be one as opposed to others. Somebody might come up with a better idea between now and then. My belief is we should let the process work. We can let it work by not adopting this rider to the appropriations bill. We should work through this as it evolves.

Mr. President, I yield the floor.

Mr. BOND. Mr. President, I am prepared to yield back time on this side and bring this to a blessed conclusion after stating that I appreciate the chance to discuss this issue with my good friend from Montana and to say we are willing to let the process go forward. Just do not send us a controlled flood next spring. That is all we ask. Let the process work. Do not send the water down.

I now yield back the time on this side.

Mr. BAUCUS. Mr. President, I yield back the remainder of my time and ask that we let the process work.

The PRESIDING OFFICER. All time is yielded back.

MORNING BUSINESS

Mr. BOND. Mr. President, I now ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

AIRPORT SECURITY IMPROVEMENT ACT OF 2000

Mr. MCCAIN. Mr. President, on June 15, 2000, the Committee on Commerce, Science, and Transportation reported S. 2440, the Airport Security Improvement Act of 2000. A report on the bill was filed on August 25, 2000. At that time, the committee was unable to provide a cost estimate for the bill from the Congressional Budget Office. On September 1, 2000, the accompanying letter was received from the Congressional Budget Office, and I now make it available to the Senate. I ask unanimous consent that the letter from CBO be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 1, 2000.

Hon. JOHN MCCAIN,
Chairman, Committee on Commerce, Science,
and Transportation, U.S. Senate, Wash-
ington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2440, the Airport Security Improvement Act of 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are James O'Keeffe (for federal costs), who can be reached at 226-2860, Victoria Heid Hall (for the state and local impact), who can be reached at 225-3220, and Jean Wooster (for the private-sector impact), who can be reached at 226-2940.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, SEPTEMBER 1, 2000

S. 2440: AIRPORT SECURITY IMPROVEMENT ACT OF 2000, AS REPORTED BY THE SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION ON AUGUST 25, 2000

SUMMARY

S. 2440 would require the Federal Aviation Administration (FAA) to revise certain airport security policies and procedures. These policies would direct airports and air carriers to implement a number of security measures, including Federal Bureau of Investigation (FBI) electronic fingerprint checks before filling certain jobs, better training for security screeners, and more random security checks of passengers. S. 2440 also would require the FAA to expand and accelerate the current effort to improve security at air traffic control facilities.

CBO estimates that implementing S. 2440 would cost \$155 million over the 2001-2005 period, assuming appropriation of the necessary amounts. That amount represents the

difference between estimated spending under FAA's current plan for security improvements and spending for such improvements under the bill. Because S. 2440 would affect direct spending, pay-as-you-go procedures would apply, but CBO estimates the net impact on direct spending would be negligible.

S. 2440 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would require airport operators to improve airport security. CBO estimates that the new requirements would impose no significant costs on state, local, or tribal governments, including public airport authorities.

S. 2440 would impose private-sector mandates, as defined in UMRA, on air carriers and security screening companies. CBO expects that total costs of those mandates would not exceed the annual threshold established by UMRA for private-sector mandates (\$109 million in 2000, adjusted for inflation).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 2440 is shown in the following table. The costs of this legislation fall within budget function 400 (transportation).

SPENDING ON SECURITY IMPROVEMENTS TO AIR TRAFFIC CONTROL FACILITIES SUBJECT TO APPROPRIATION

(By fiscal year, in millions of dollars)

	2000	2001	2002	2003	2004	2005
Spending Under Current Plan:						
Estimated Authorization Level	12	19	20	23	25	25
Estimated Outlays	6	20	20	22	24	25
Proposed Changes:						
Estimated Authorization Level	0	61	70	67	-25	-25
Estimated Outlays	0	46	68	68	-2	-25
Spending Under S. 2440:						
Estimated Authorization Level	12	80	90	89	0	0
Estimated Outlays	6	66	88	90	22	0

BASIS OF ESTIMATE

For this estimate, CBO assumes that S. 2440 will be enacted near the beginning of fiscal year 2001 and that the necessary amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns.

S. 2440 would require the FAA to expand and accelerate its current plans to improve security at air traffic control facilities. Based on information from the FAA, implementing this provision of the bill would cost about \$155 million over the 2001-2005 period. This amount includes a spending increase of \$182 million during the 2001-2003 period and a \$27 million reduction in spending over the following two years, relative to current plans for security improvements.

Implementing S. 2440 would require airports and air carriers to increase the number of fingerprint checks on employees and potential hires that are conducted by the FBI with assistance from the Office of Personnel Management. Both of these agencies would receive payments from airport operators and air carriers (or their contractors), which would be recorded as offsetting receipts (a credit against direct spending). These payments could then be spent without further appropriation action to conduct fingerprint checks on employees. Since the additional direct spending and offsetting receipts would be approximately equal, we estimate that the net impact on direct spending of this provision would be negligible.

PAY-AS-YOU-GO CONSIDERATIONS

The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. Implementing S. 2440 would affect direct spending, but CBO estimates that any such effects would be negligible.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

S. 2440 contains an intergovernmental mandate as defined in UMRA because it

would require airport owners and operators to improve airport security. Based on information from the Airports Council International and the Air Transport Association, CBO estimates that the new requirements would impose no significant costs on state, local, or tribal governments, including airport authorities, because under existing contracts and agreements any additional costs would be borne by air carriers and other airport tenants.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

S. 2440 would impose private-sector mandates, as defined by UMRA, on air carriers and security screening companies. Based on information from the FAA and industry representatives, CBO estimates that the costs of those mandates would not exceed the annual threshold established by UMRA for private-sector mandates (\$109 million in 2000, adjusted for inflation).

First, the bill would mandate new hiring procedures and training standards for airport security workers. Section 2 would require air carriers to conduct an FBI electronic fingerprint check on all applicants for certain positions related to airport security positions with unescorted access to sensitive areas, positions with responsibility for screening passengers or property (screeners), and screener supervisor positions. Because the FBI electronic fingerprint checks would make the current price of employment investigations and subsequent audits of those investigations unnecessary, enacting this section could result in savings for air carriers. Section 3 would require additional hours of training for security screeners. In addition, the bill would require that computer training facilities be located near certain airports.

Second, the bill would accelerate the effective date of two sets of requirements that the FAA plans to implement in the next year. Section 3 would accelerate the FAA's current proposed rule on the Certification of Screening Companies. The rule is intended to improve aviation security by requiring companies and air carriers that provide security screening to be certified by the FAA. Section 4 would also accelerate a number of requirements on air carriers to improve security at access control points at airports. Most significantly, the section would require air carriers to develop and implement programs that foster and reward compliance with access control requirements. Because S. 2440 would accelerate implementation of those new mandates, air carriers and security screening companies would incur some compliance costs months earlier compared to current law.

Third, Section 6 would require the FAA to gradually increase the random selection factor in the Computer-Assisted Passenger Prescreening System (CAPPS) at airports where bulk explosive detection equipment is used. The selection factor controls the number of passengers randomly selected to have their baggage undergo enhanced security checks. If bulk explosive detection equipment is available, it is used for this enhanced security check. If it is not available, the passenger's baggage is placed on the airplane only after the air carrier has confirmed that the passenger is on board.

Because only about 5 percent of airports use the bulk explosive detection equipment, enacting Section 6 would, in theory, increase the number of bags that would be checked with the bulk explosive detection equipment in only a few airports. According to the FAA and industry representatives, however, a limitation in CAPPS would not allow an increase in the random factor in a subset of selected airports. All airports would be subject to the increased random factor. Thus, to

comply with the mandate air carriers would have to either (1) reprogram their computer systems to selectively increase the random selection factor in airports that use bulk explosive detection equipment or (2) increase the number of bags undergoing enhanced security checks based on the factor whether or not an airport uses such equipment. In either case, air carriers would incur the incremental cost of checking the additional bags at airports that use bulk explosive detection equipment.

Estimate prepared by: Federal Costs: James O'Keeffe (226-2860). Impact on State, Local, and Tribal Governments: Victoria Heid Hall (225-3220). Impact on the Private Sector: Jean Wooster (226-2940).

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

VICTIMS OF GUN VIOLENCE

Mr. REID. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today. September 6, 1999: Andres Aguiar, 33, Houston, TX; Sharon Barraso, 20, Philadelphia, PA; Tony Butler, 18, Philadelphia, PA; Edwin Cordova, 23, Houston, TX; Tijuana Dickey, 19, Baltimore, MD; Ellis Hair, 21, Chicago, IL; Anthony Jones, 32, Detroit, MI; Louis Merrill, 17, Chicago, IL; Oscar Murray, 24, Detroit, MI; Isaac Noyola, 21, Houston, TX; Kevin Parker, 23, St. Louis, MO; Michael Sanchez, 28, Philadelphia, PA; Gregory Scott, 30, Houston, TX; Vincent Casey Stanley, 36, Memphis, TN; Cheryl Thornton, 20, New Orleans, LA; Unidentified Male, 58, Norfolk, VA; and Unidentified Male, 25, Norfolk, VA.

One of the gun violence victims I mentioned 23-year-old Edwin Cordova of Houston, was on his way home from a trip to Galveston with a group of friends. After passing a truck that had been attempting to block their way, one of the truck's passengers fired gunshots through the rear window of the vehicle. Cordova, who was riding in the front passenger's seat, died at the hospital of a gunshot wound to the neck.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

A STRONG MEDICARE FOR OUR SENIORS' FUTURE

Mr. ABRAHAM. Mr. President, Medicare, that's what seniors and health care providers in Michigan talked