

other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled "An Act for the protection of the bald eagle", approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

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

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) **FEDERAL LIABILITY FOR DAMAGE.**—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) **FLOOD CONTROL.**—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701-1 et seq.).

(d) **USE OF FUNDS.**—Funds transferred to the Trust may be used to pay the non-Federal share required under Federal programs.

#### **SEC. 907. AUTHORIZATION OF APPROPRIATIONS.**

(a) **INITIAL FUNDING.**—There is authorized to be appropriated to the Secretary to carry out this title \$4,000,000 for each of fiscal years 2001 through 2010, to remain available until expended.

(b) **EXISTING PROGRAMS.**—The Secretary shall fund programs authorized under the Pick-Sloan program in existence on the date of enactment of this Act at levels that are not less than funding levels for those programs as of that date.

Mr. ROBERTS. Mr. President, I ask to reconsider the vote, and on behalf of the Senator from New Hampshire, Mr. SMITH, I move to table my own motion.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

• Mr. GORTON. Madam President, I regret I was unable to vote on the final passage of the Water Resources Development Act, S. 2796. Had I been present, I would have voted in favor of this legislation.

The bill contains authorizations for several important projects for Washington State. I would like to thank the chairman of the Senate Environment and Public Works Committee. Senator BOB SMITH, and the chairman of the Subcommittee on Transportation and Infrastructure, Senator GEORGE VOINOVICH, for their assistance in addressing the water resource needs of the Pacific Northwest. I'd like to highlight four projects critical to my constituents.

The bill provides authorization for the Puget Sound Ecosystem Restoration Project, an environmental restoration program designed to improve habitat for four threatened anadromous fish species in the Puget Sound basin.

The Corps of Engineers, contingent on available appropriations, will be authorized to spend \$20 million in cooperation with local governments, tribes, and restoration groups to make existing Corps projects more salmon-friendly and enhance critical stream habitat.

WRDA 2000 also includes an authorization for the Corps of Engineers to study and construct an erosion control project for the Shoalwater Bay Indian Tribe. The Shoalwater Bay Indian Tribe, located on a 335-acre reservation in southwest Washington, has experienced dramatic erosion events for the past several winters. During the 1998-1999 winter storms alone, the tribe lost several hundred feet of shoreline. These events have been particularly damaging to this small tribe of 245 people, most of whom depend on the tribe's shellfish resource along the 700 acres of tidelands.

Another provision will assist the communities along the Columbia, Cowlitz, and Toutle rivers. During the early 1980s after the eruption on Mount St. Helens on May 18, 1980, the Corps of Engineers engaged in a series of emergency and congressionally authorized projects to stop or control the flow of sediment from Mount St. Helens into the Toutle, Cowlitz, and Columbia rivers. Since the major Northwest Washington flood of 1996, which severely impacted the communities surrounding these three rivers, the Corps of Engineers and county governments in Southwest Washington have engaged in discussions over the level of flood protection to be maintained for the Mount St. Helens Sediment Control Project. The WRDA bill clarifies the Corps' responsibility to maintain this project and provides certainty for the communities in the future.

Finally, the bill includes authorization for the Corps to accept funding from non-federal public entities to improve and enhance the regulatory activities of the Corps of Engineers. Since the listing of the four Puget Sound salmon species last year, the Seattle office of the Corps of Engineers has been inundated with permits that requires additional consultation under the Endangered Species Act. Unfortunately, this additional responsibility requires additional staff and resources to occur in a timely manner. At the beginning of this year, the Seattle regulatory office had a backlog of 300 permit applications. Today that backlog has grown to nearly 1,000. This provision will provide the Corps the additional resources it needs to comply with the Endangered Species Act.

Once again, I would like to thank the members of the Environment and Public Works Committee for their assistance in providing authorization for projects important to the residents of Washington state. I am pleased the Senate passed this legislation today. •

#### **MORNING BUSINESS**

Mr. ROBERTS. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. ROBERTS. I ask unanimous consent I might be recognized for 20 minutes as in morning business.

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

#### **GENERAL CHARLES E. WILHELM**

Mr. ROBERTS. Mr. President, late in the afternoon of this coming Thursday, the U.S. Marine Corps will conduct a retirement ceremony at the Marine Corps War Memorial in Arlington, VA.

It would not be too surprising for all who know the honoree, if those legendary marines raising the flag atop Mt. Suribachi at the Iwo Jima Memorial and ensconced in statutory history might actually plant the flag, come to attention and give a proud salute to Gen. Charles E. Wilhelm. Now retired after 35 years of service and the former commander of the U.S. Southern Command, Charles Wilhelm has been the epitome of dedication, professionalism, and pride. Simply put, he has been a marine's marine. In paying tribute to General Wilhelm, my remarks are in keeping with the appreciation, admiration, and thanks of my colleagues in the Senate, more especially the chairman and members of the Armed Services Committee, all those privileged to serve on committees of jurisdiction dealing with our national defense and foreign policy and former marines who serve in the Congress. I think Charles Wilhelm was destined to serve in our Nation's sea service and become an outstanding marine in that he was born of the shores of Albemarle Sound in historic Edenton, NC. He graduated from Florida State University and later earned a master of science degree from Salve Regina College in Newport, RI. He was commissioned a second lieutenant in 1964 and saw two tours of service in Vietnam where in the full component of command positions, he served with distinction: as a rifle platoon commander; company commander; and senior advisor to a Vietnamese Army battalion.

For his heroism under fire, he was awarded the Silver Star Medal, Bronze Star Medal with Combat V, Navy Commendation Medal with Combat V, and the Army Commendation Medal with Combat V. General Wilhelm's other personal decorations include the Defense Service Medal with Oak Leaf Cluster, the Distinguished Service Medal, Defense Meritorious Service Medal, the Navy Commendation Medal, and Combat Action Ribbon. The last thing that Charley Wilhelm would want or stand for would be for some Senator like myself to stand on the Senate floor and list the rest of all of

the assignments and tours and accomplishments that make up his outstanding career. But, since I am on the Senate floor and relatively safe, I hope, from the well known and respected iron will of the general, a marine, who with respect and admiration and a great deal of circumspect care—certainly not in his presence—was called “Kaiser Wilhelm,” I’m going to give it a try. I do so because of the immense respect this man has within the ranks of all the services, U.S. and international, who have served under his command.

General Wilhelm’s service was universal in scope and outstanding in performance: inspector-instructor to the 4th Reconnaissance Battalion, a Reserve unit in Gulfport, Mississippi; Deputy Provost Marshal, U.S. Naval Forces Philippines; operations officer and executive officer, 1st Battalion, 1st Marines, Camp Pendleton, California; staff officer for Logistics, Plans and Policy Branch, Installations and Logistics Department, Headquarters Marine Corps; J-3, Headquarters, U.S. European Command. Then in August of 1998, while assigned as the Assistant Chief of Staff for Operations of the Second Marine Expeditionary Force, Charles Wilhelm was promoted to brigadier general and assigned as the Director of Operations, Headquarters Marine Corps. Two years later, he was chosen to serve as Deputy Assistant to the Secretary of Defense for Policy and Missions within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

This experience served him well, when, as commanding general of the 1st Marine Division, General Wilhelm served as Commander, Marine Forces Somalia as part of Operation Restore Hope. I might add a personal observation at this point in stating with Charles Wilhelm, the United States has a respected resource with regard to the difficult but necessary challenge our military has in meeting vital national security interests and balancing those interests with the many, if not overwhelming, peacekeeping and humanitarian missions we find ourselves involved in today.

It goes without saying that in the past members of our military have been sent into peacekeeping missions where there was no peace to be kept. When that happens, why peacekeepers become targets and tragedy results. Gen. Charles Wilhelm knows the difference and we should take heed. He went on to serve in a series of command positions to include: Commanding General, Marine Corps Combat Development Command; Commander, U.S. Marine Corps Forces, Atlantic; Commander, U.S. Marine Corps Forces, South; Commanding General, Second Marine Expeditionary Force; Commanding General, Marine Strike Force Atlantic.

General Wilhelm assumed duties at U.S. Southern Command in September, in 1997 where he served until his retirement just a few weeks ago. As com-

mander of the U.S. Southern Command, General Wilhelm devoted his enormous personal energy—and boy does he have that—his visionary leadership and his remarkable diplomatic skills to achieving vital national security objectives and strengthening democratic institutions and governance—and thereby individual freedom and economic opportunity—throughout the Southern Hemisphere.

General Wilhelm’s personal decorations are testimony to his valor and bravery. He is indeed recognized within the U.S. Marine Corps as a warrior among warriors. But, he is also part military and political theorist, diplomat, and humanitarian. He enhanced civilian control of military institutions throughout Latin America; he improved multilateral relations among the 32 nations—that is 32 nations and 12.5 million square miles stretching from Antarctica to the Florida Keys.

Concurrently, General Wilhelm oversaw the integration of the Caribbean into the command’s theater, supervised the implementation of the 1977 Panama Canal treaties—no small feat—he energized United States Inter-agency efforts to counter the flow of illegal narcotics into the United States and finally, sought and obtained congressional support for the U.S. assistance plan for Colombia’s counter drug program. While doing all of this in his 3 year stint, he restructured his command’s architecture and theater engagement strategy to position the command to meet the challenges of the 21st century. I am tempted to say that in the midst of all this he rested on the 7th day but in fact he did not.

As chairman of the Emerging Threats Subcommittee of the Senate Armed Services Committee—that is the subcommittee of jurisdiction over virtually all of the missions within the Southern Command—I want the record to show that the general accomplished his goals at precisely the same time the Southern Command suffered tremendous budget and infrastructure challenges. That is the nicest way I can put it. He always said he did not have problems; he had challenges. That was due to U.S. involvement in the Balkans and the drawdown of the tremendous budget and essential infrastructure support to the general’s mission and the mission of the Southern Command.

I do not know how, quite frankly, he accomplished his tasks. I might add, from my personal standpoint, in terms of our immediate and pressing challenges with regard to refugees, more than in the Balkans, the problems and challenges of immigration, drugs, terrorism, trade, the commonality of interests within our own hemisphere, and our domestic energy supply—we now get roughly 17 to 18 percent of our energy supply from Venezuela; there are real problems in Venezuela—our vital national interests, General Wilhelm has tried his very best to alert the Pentagon, the administration, and the Congress to these concerns and suggest

rational and reasonable policy options. His advice is sound, based upon years of experience and hard, hard work. The value and worth of his policy recommendations, I will predict, and his cornerstone efforts to build on that success will be proven correct.

Carol Rosenberg of the Miami Herald newspaper recently captured what I am trying to say in an article that accurately describes the successes General Wilhelm has achieved and the character of the man as well.

Ms. Rosenberg simply put it this way:

A Black Hawk helicopter landed in the center of a crude baseball diamond on a recent morning, delivering a four-star U.S. Marine general bearing baseballs and money.

Chopper blades were still kicking dust when hundreds of residents crowded around, some sporting American League style uniforms donated by a California bike shop owner—

At the request of the general.

Then a nine-man Nicaraguan band pulled out sheet music and played The Star Spangled Banner for the general.

According to the article, he said:

This is why I love this job. I’ve never heard it played any better.

His career stretches back to Vietnam, as noted by Ms. Rosenberg. She went on to point out in her article the general has been part military strategist and diplomat. She outlined his leadership, as I said before, in the tremendous U.S. humanitarian efforts after Hurricane Mitch and other medical and disaster recovery missions demonstrating the United States bid to be a good neighbor and an ally in the Americas and the example of a civilian-controlled military to the emerging democracies.

In the article, Ms. Rosenberg also pointed out that last month General Wilhelm paid a last visit to Managua, Nicaragua, and stood proudly as the Nicaragua Army chief, General Javier Carrion, draped him with a blue and white sash, the army’s highest honor in Nicaragua, for “building respectful relations” between the two countries.

For a decade, our Nation was allied with the Nicaraguan Army’s adversary, i.e. the Contras, in a 10-year-old civil war. According to veteran observers, only 2 years ago, the tension and suspicion was still so thick between the two countries that you could cut it. Last month, through the efforts of one man, General Wilhelm received a medal for building respect between the two nations.

I ask unanimous consent that the article by Carol Rosenberg in the Miami Herald be printed in the RECORD.

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

[From the Miami Herald, Sept. 3, 2000]

SOUTHCORP GENERAL BOWS OUT AFTER 37 YEARS

POLITICS, STRATEGY—AND A DASH OF BASEBALL DIPLOMACY

(By Carol Rosenberg)

BOACO, NICARAGUA—A Black Hawk helicopter landed in the center of a crude baseball diamond on a recent morning, delivering

a four-star U.S. Marine general bearing baseballs and money.

Chopper blades were still kicking up dust when hundreds of curious residents crowded around, some sporting American League-style uniforms donated by a California bike shop owner. Then, a nine-man Nicaraguan band pulled out sheet music and played The Star Spangled Banner for the general and his entourage—colonels and bodyguards, fixers and escort officers.

"This is why I love this job. I've never heard it played better," confided Gen. Charles Wilhelm, whose 37-year Marine career stretches back to Vietnam.

Part military strategist, part diplomat, Wilhelm, 59 retires this week from a three-year tour of duty as chief of the Southern Command, the Pentagon's Miami-based nerve center for Latin America and the Caribbean, staffed by about 1,000 service members and civilians.

Southcom, as it is called, is in charge of U.S. military activities across 12.5 million square miles stretching from Antarctica to the Florida Keys. Based in Panama for decades, it evolved out of U.S. construction of the Panama Canal and moved to Miami in 1997, as Wilhelm took charge. The move was part of a phased withdrawal to prepare for this past New Year's retreat from the Canal Zone.

Among its most high-profile missions: the 1989 seizure of Panamanian strongman Manuel Noriega. Southcom also directed U.S. support for the Nicaraguan contras in the 1980s and has for years sent doctors and other military experts for joint-training missions in Latin America.

Now is a pivotal time: Congress has just approved \$1.3 billion in U.S. aid for Plan Colombia—an ambitious campaign to fight the drug trade in the nation that supplies the bulk of the cocaine distributed in the United States. The effort—the United States' most ambitious military activity in the Americas in years—provides for 60 helicopters, 500 U.S. troops, and 300 civilian contractors.

And Wilhelm, an architect by virtue of his position at Southcom, is one of its greatest champions.

Yet, as the recent dabble in baseball diplomacy shows, the job of Southcom's commander in chief is a curious blend of politics and strategy. A California congressman had asked Southcom to rebuild the baseball diamond, damaged by flooding, at the request of a constituent who had once played baseball in the area.

But after crunching numbers back in Doral, Wilhelm concluded the cost of Operation Field of Dreams would be too high: \$250,000 to move in heavy equipment, as unreasonable 1.25 percent of his discretionary budget. So, instead, he brought three-dozen baseballs, a \$300 donation, and gave townspeople a first-hand look at U.S. helicopter technology, carefully monitored by U.S. Army flight crews watching to make sure nobody made off with a removable part.

And he added the baseball diamond to a Southcom "to-do" list, just in case future relief efforts bring the necessary equipment and U.S. forces back to Boaco.

The last August visit illustrated how much Southcom has changed since Wilhelm inherited the command. Now entrenched in Miami, Southcom today is leaner than its huge outpost in Panama of the 1990s, and with a curious mosaic of military relations.

Thanks to U.S. humanitarian efforts after Hurricane Mitch, it has the best relationship in years with Nicaragua and a patchwork of mini bases for drug hunting and humanitarian relief missions in the Caribbean and Central America. U.S. troops that before Wilhelm's arrival swelled to 11,000-plus in Southcom's 12.5 million square miles of ter-

ritory—most at sprawling bases in Panama—have been largely reassigned to the continental United States.

Now Southcom has a permanent presence of 2,479 soldiers, sailors and air force personnel, most in Puerto Rico, and relies on periodic training exercises of reservists and National Guard members to carry out a key part of the command's activities—medical and disaster recovery missions offered to host countries by embassies. They demonstrate Washington's bid to be a good neighbor in the Americas and illustrate the grandeur of a civilian-controlled military, a good example for emerging democracies.

On the down side, Washington has been unable so far to persuade Venezuela to permit flights over the country for U.S. drug-hunting operations—a significant blind spot in the hemispheric war on narcotrafficking. U.S. aircraft patrolling the skies over Latin America now have to fly around Venezuela, adding as much as 90 minutes to their missions in their pursuit of drug runners, mostly from Colombia.

Nor has U.S. diplomacy convinced Panama to accept a permanent military presence, for drug operations or any other U.S. activities. The last U.S. forces departed on New Year's Eve and sentiments are not yet ripe for a return of U.S. military personnel.

In Haiti, successive exercises and training programs by Southcom have not been able to meaningfully enhance the rule of law, and U.S. drug interdiction monitors, who see it as a trans-shipment spot, have not been able to enlist local authorities there as allies in their anti-drug campaign. Cooperation by foreign police and militaries is key to the U.S. war on drug trafficking. But drug monitors say they have not found partners in Port-au-Prince, whose security forces are still in chaos, to make seizures and arrests when they detect drug smugglers.

#### NO FUNDING YET

And Wilhelm has yet to win congressional funding to permanently base Southcom in Miami, now in an industrial park not far from the airport, a \$40 million measure. Wilhelm's tenure ends Friday with a change-of-command ceremony presided over by Defense Secretary William Cohen. If Congress confirms President Clinton's choice of Marine Lt. Gen. Peter Pace in time, it will be only the second time in history that a Marine will head Southcom, a job traditionally held by the Army. Wilhelm will wind up his Marine career by moving back to suburban Washington, D.C. under mandatory retirement, which only could have been averted by promotion to the Joint Chiefs of Staff—or a transfer to another four-star post—for example, overseeing military operations in Europe or the Persian Gulf.

But, Wilhelm said, he aspires to re-emerge in civilian life as a player in Latin America—perhaps as a troubleshooter, capitalizing on his civilian and military contacts throughout the Americas. He espouses a fascination with the region.

"It interests me for a lot of very good reasons—and they're not all altruistic," he said in a recent interview.

"I see our future prosperity in the Americas, not in the Far East . . . Forty-six percent of our exports flow within the Americas, 28 percent to the FAR East and 26 percent to Europe and I see that balance shifting even more to the Americas at least over the first 25 years of this century. So I think the future prosperity of the United States is inextricably linked to the Americas."

Last month's two-day trip to Nicaragua and Honduras—Wilhelm's last on the road aside from Wednesday's trip to Colombia with President Clinton—gave a glimpse into the hemisphere-hopping style of work he seems to relish.

In Tegucigalpa, he met President Carlos Flores and then choppered to Honduras' Soto Cano Air Base, where the U.S. has its only permanent military outpost in the region. With a single landing strip stocked with Chinook and Black Hawk helicopters, it is home to about 600 Air Force and Army personnel who mostly support disaster relief and drug operations. There he took part in a promotion ceremony, and gave U.S. soldiers and airmen a pep talk.

"When I call, you haul—no whimpering or whining. That's what service is all about," said Wilhelm.

#### "RESPECTFUL"

In Managua, he stood surrounded by dozens of local reporters and camera crews as Nicaraguan Army Chief Gen. Javier Carrion draped him in a blue and white sash—the army's highest honor—"for building respectful relations" between the armies.

Army Col. Charles Jacoby, Wilhelm's executive officer, was in awe.

In early 1998, Jacoby came to Managua as head of a mission to negotiate the return of an old B-26 aircraft that crashed in the jungle after flying missions from a clandestine CIA airfield for the ill-fated Bay of Pigs invasion. The tension and suspicion was so thick, you could cut it.

Months later, Hurricane Mitch cut a swath of destruction through Central America. Wilhelm sent thousands of U.S. forces to rebuild bridges and schools, clinics and roads—a goodwill gesture that broke the ice in chilly relations with the Nicaraguan Army. For a decade, Washington had allied with the army's adversary, the contras, in a decade-long civil war that ended in 1990.

"To see him standing here today getting an award is just unbelievable," Jacoby said moments before a Nicaraguan officer served champagne.

Mr. ROBERTS. Mr. President, I am not really surprised at this man's many accomplishments. Several years ago, our distinguished majority leader, Senator LOTT, took an overdue codel to Latin and Central America. I was privileged to go. On one of our first stops, we were briefed on the overall situation, again within the 32-nation sprawling Southern Command. Pressed for time, General Charles Wilhelm gave one of the most complete, pertinent, and helpful briefings I have ever heard. I have been a Wilhelm fan ever since, and I certainly value his advice and his suggestions.

General Wilhelm stated our vital national security interests very well when he said the following:

I see our future prosperity in the Americas, not in the Far East. . . . Forty-six percent of our exports flow within the Americas, 28 percent to the Far East and 26 percent to Europe. I see the balance shifting even more to the Americas over the first 25 years of this century. The future prosperity of the United States is linked to the Americas.

Throughout his career as a United States Marine, General Charles Wilhelm demonstrated uncompromising character, discerning wisdom, and a sincere, selfless sense of duty to his Marines and members of other services assigned to his numerous joint commands.

His powerful leadership inspired his Marines to success, no matter what the task. All Marines everywhere join me in saying to the general: Thank you

and well done. The results have guaranteed United States security in this hemisphere and throughout the world.

In behalf of my colleagues on both sides of the aisle, our congratulations to him and to his wife Valerie and his son Elliot on the completion of a long and distinguished career, and I trust more to come. God bless this great American and Marine. *Semper Fi, General, Semper Fi.*

#### APPROVAL OF CONVENTION 176

Mr. BYRD. Mr. President, last week the Senate unanimously approved for ratification the International Labor Organization Convention 176 on mine safety and health. I thank the Chairman of the Foreign Relations Committee, the distinguished Senator from North Carolina, for his committee's efforts in expeditiously approving this convention. I also thank the mining state senators from New Mexico, Pennsylvania, Montana, Kentucky, Nevada, Idaho, and my own West Virginia, who joined me in championing this convention.

Coal mining has long been recognized as one of the most dangerous occupations in the world. In the United States, the frequency and magnitude of coal mining disasters and intolerable working conditions in the 19th century created a public furor for mine health and safety laws. The Pennsylvania legislature was the first to pass significant mine safety legislation in 1870, which was later followed by the first federal mine safety law that was passed by Congress in 1891. Over the years, these state and federal laws were combined into what are today the most comprehensive mine safety and health standards in the world. Since the beginning of the 20th century, mine-related deaths have decreased from 3,242 deaths in 1907, the highest mining fatality rate ever recorded in the United States, to 80 deaths in 1998, the lowest mining fatality rate ever recorded in the United States.

These numbers stand in stark contrast to the recorded fatalities in other parts of the world. In China, for example, the government recently reported 2,730 mining fatalities in the first six months of this year. That is more than thirty times the number of fatalities recorded in the United States for all of 1999. And, this number does not even include metal and nonmetal mining fatalities in China.

Many countries in the world have national laws specific to mine safety and health. Yet, in most of these countries, the laws are often times inadequate. In many South American and Asian countries, national laws have not kept pace with the introduction of new mining equipment, such as long-wall mining machines and large surface mining equipment, which create new hazards for miners. Similarly, many of these countries do not require employers to inform miners of workplace hazards or allow for workers to refuse work be-

cause of dangerous conditions without fear of penalties. What is worse is that even if these countries do have adequate laws, in most cases, the inexperience and limited resources of their mine inspectors often means that egregious violations by foreign coal companies are never penalized, encouraging repeat violations.

As a result, miners in developing countries are exposed to risks and hazards that claim up to 15,000 lives each year. Severe mine disasters involving large loss of life continue to occur throughout Europe, Africa and Asia. The most recent accident to gain worldwide attention occurred in Ukraine in March of this year, when 80 miners were killed after a methane gas explosion because of an improperly ventilated air shaft.

The United States competes against these countries with notoriously low mine safety standards in the global energy market. However, the disparity in mine safety and health standards with which foreign and domestic coal companies must comply, places U.S. coal companies at a disadvantage by allowing foreign coal companies to export coal at a cheaper cost. This has contributed to a decrease in U.S. coal exports in the global energy market. According to the Department of Energy, U.S. coal exports to Europe and Asia have decreased from 78 million tons to 63 million tons between 1998 and 1999. The Administration projects that U.S. coal exports will continue to decrease to approximately 58 million tons by 2020. This reduction in coal exports falls on an industry that is already experiencing a steady decrease in the number of active coal mining operations and employment in the United States. Faced with strong competition from other coal exporting countries and limited growth in import demand from Europe and Asia, the United States needs to level the playing field as much as possible with its foreign competitors, and should encourage foreign governments to adopt safety and health standards similar to those in the United States.

Accordingly, representatives from the National Mining Association, the United Mine Workers of America, and the Mine Safety and Health Administration helped to draft a treaty in 1995 that would establish minimum mine safety and health standards for the international community. This treaty was based on the federal mine safety and health laws in the United States. Convention 176 was adopted by the General Conference of the International Labor Organization in 1995, and would designate that a competent authority monitor and regulate safety and health in mines and require foreign coal companies to comply with national safety and health laws. It would also encourage cooperation between employers and employees to promote safety and health in mines.

By encouraging other countries to ratify Convention 176, the United

States can increase the competitiveness of U.S. coal prices in the global market place, while, at the same time, increasing protections for miners in all parts of the world. In addition, the United States can build a new market for itself where it can provide training and superior mine safety equipment to nations struggling to increase their mine safety standards.

The United States prides itself on having the safest mines in the world, while, at the same time, remaining a competitive force in the global energy market. This convention embraces the belief that other countries would do well to follow the U.S. example. I support this convention, and applaud the Senate for its approval.

#### RICHARD GARDNER URGES HIGHER BUDGET PRIORITY FOR U.S. FOREIGN POLICY

Mr. KENNEDY. Mr. President, in an article published in the July/August issue of Foreign Affairs, Richard Gardner argues persuasively that at this time of record prosperity, America must commit itself to an increased budget for foreign policy in order to protect our vital interests and carry out our commitments around the world. He argues that America's security interests must be protected not only by maintaining a superior military force, but also by focusing on other international issues that are essential to our national security, such as global warming, AIDS, drug-trafficking, and terrorism. He asserts that to achieve these goals, foreign aid must be given higher spending priority, and the current trend of decreased funding for our international commitments must be reversed.

Mr. Gardner is well known to many of us in Congress. For many years, and under many Administrations, he has served our nation well as a distinguished diplomat. He skillfully represented U.S. interests abroad, and has made valuable contributions to advancing America's foreign policy objectives. He continues this important work today, serving as a Professor of Law and International Organization at Columbia University and a member of the President's Advisory Committee on Trade Policy and Negotiations.

I believe that Ambassador Gardner's article will be of interest to all of us in Congress, and I ask unanimous consent that it may be printed in the RECORD.

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

[From Foreign Affairs, July/August 2000]  
THE ONE PERCENT SOLUTION—SHIRKING THE  
COST OF WORLD LEADERSHIP  
(By Richard N. Gardner)

A dangerous game is being played in Washington with America's national security. Call it the "one percent solution"—the fallacy that a successful U.S. foreign policy can be carried out with barely one percent of the federal budget. Unless the next president moves urgently to end this charade, he will