amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 466

At the request of Mr. HAGEL, the names of the Senator from Montana (Mr. BAUCUS), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Georgia (Mr. CLELAND), the Senator from Minnesota (Mr. DAYTON), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Ms. STABENOW), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 466, a bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

S. 509

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 509, a bill to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

S. 525

At the request of Mr. GRAHAM, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 525, a bill to expand trade benefits to certain Andean countries, and for other purposes.

S. CON. RES. 23

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103, and for other purposes.

S. RES. 21

At the request of Mr. MCCAIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Res. 21, a resolution directing the Sergeant-at-Arms to provide Internet access to certain Congressional documents, including certain Congressional Research Service publications, Senate lobbying and gift report filings, and Senate and Joint Committee documents.

S. RES. 24

At the request of Mr. SANTORUM, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. Res. 24, a resolution honoring the contributions of Catholic schools.

S. RES. 25

At the request of Mr. CRAIG, the names of the Senator from Connecticut (Mr. DODD), the Senator from Wisconsin (Mr. KOHL), the Senator from Utah (Mr. HATCH), the Senator from California (Mrs. BOXER), and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. Res. 25, a resolution designating the week beginning March 18, 2001 as ''National Safe Place Week.''

S. RES. 43

At the request of Mr. MURKOWSKI, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Virginia (Mr. ALLEN), the Senator from Idaho (Mr. CRAPO), the Senator from Idaho (Mr. CRAIG), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from North Carolina (Mr. HELMS), the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. THOMAS), the Senator from Tennessee (Mr. THOMPSON), the Senator from Wyoming (Mr. ENZI), the Senator from New Hampshire (Mr. GREGG), the Senator from Nevada (Mr. ENSIGN), the Senator from Tennessee (Mr. FRIST), the Senator from Virginia (Mr. WARNER), the Senator from Montana (Mr. BURNS), the Senator from Oklahoma (Mr. NICKLES), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. Res. 43, a resolution expressing the sense of the Senate that the President should designate the week of March 18 through March 24, 2001, as ''National Inhalants and Poisons Awareness Week.''

AMENDMENT NO. 94

At the request of Mrs. LINCOLN, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of Amendment No. 94 proposed to S. 420, an original bill to amend title II, United States Code, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND:

S. 528. A bill to amend the National Voter Registration Act of 1993 to modify the requirements for voter mail registration and for other purposes; to the Committee on Rules and Administration.

Mr. BOND. Mr. President, today I rise to introduce a commonsense election reform bill which we have entitled the Safeguard the Vote Act. I realize other reform issues have received a lot of media attention, but I think it is vital to focus on the fundamental issue of casting and counting votes honestly and fairly as well.

Over the past months, many Americans saw for the first time how actual vote counting is done or not done. We have had a real-life civics lesson that was as unexpected as it was frustrating. Those of us in positions of responsibility need to fix what needs fixing, reform what needs reforming, and prosecute where actual wrongdoing has occurred.

Voting is the most important civic duty and responsibility for citizens in our form of government. It should not be diluted by fraud, false filings in lawsuits, judges who do not follow the law, politicians who try to profit from confusion, and people who just abuse the system.

Let me be clear, at the same time voters must not be unduly confused by complicated ballots or confounded by inadequate phone lines or voting booths. These barriers to voting are absolutely unacceptable, and we need to make sure they do not exist.

Having said that—and I believe very strongly in it—I also say to some who want to hide the other abuses, do not try to use general confusion as an excuse or a justification for fraud.

I want to make one simple point as I begin. Vote fraud is not about partisanship. It is not about Democrats versus Republicans. It is not about the north side of St. Louis versus the south side of St. Louis. It is not about somebody getting a partisan advantage. It is about justice.

Vote fraud is a criminal not a political act. Illegal votes dilute the value of votes cast legally. When people try to stuff the ballot box, what they are really doing is trying to steal political power from those who follow election laws.

On election night in November of 2000, I was exercised and somewhat upset, one might say, as we learned about what was going on in St. Louis city where orders had been issued to keep the voting booths open in certain areas for an extended period of time. Lawyers appealed that decision, and the Missouri Court of Appeals shut them down. They wrote:

(E)qual vigilance is required to ensure that only those entitled to vote are allowed to cast a ballot. Otherwise, the rights of those lawfully entitled to vote are inevitably diluted.

Unfortunately, what we have seen in St. Louis these past months has been nothing short of breathtaking. Some might say that we have even become a national laughingstock. We have dead people registering by mail.

This city alderman died more than 10 years ago. He was registered to vote on cards turned in just before the March 6 mayoral primary. We had people registering from vacant lots. The media in St. Louis was very aggressive, and they checked on some of the voter addresses. There was no building there. They did not even see the tents in which people were living.

Voter rolls in St. Louis had more names on the registered active and inactive list than there were people in St. Louis city. It begins to raise suspicions.

A city judge exceeded the law by providing extended voting hours for only selected polling places. Then there is the strange story of a plaintiff in that case who claimed he ''has not been able to vote and fears he will not be able to vote because of long lines at the polling places and machine breakdowns.'' It was discovered he had two problems. He was dead, in which case long lines should not have been a problem because he was not going anywhere anyway.

The lawyer then came up with somebody else: Oh, what we really meant to say was a guy whose name is similar to that, so they tracked him out. The

problem was he had already voted when the lawyers filed the sworn statement saying that he was worried about not being able to vote, which, I guess, we can only conclude meant he was worried about casting a second illegal ballot.

We have had felons voting, people not even registered voting. Just when you think we have seen it all—this is my favorite—here is the voting registration card that was sent in in October of 1994 by one Ritzy Mekler. The interesting thing about Ritzy Mekler is that Ritzy is a dog. We do not know how many times Ritzy may have voted, but this seems to be an unwarranted extension of the voting franchise. Much as I love dogs, I don't really think they should be voting. This is certainly a new avenue for those who like pets. But that is the kind of thing with which we need to deal.

The end result of all these revelations is that a city grand jury in St. Louis is now investigating fraudulent voter registration, and the lawyers involved have sent the U.S. attorney a 250-page report. People are beginning to take it seriously. You don't have to take my word for it. Local St. Louis city Democrats have had a few things to say.

St. Louis' current mayor, Clarence Harmon, said:

> I think there is ample, longstanding evidence of voter fraud in our community.

State representative Quincy Troupe said:

> There is no doubt in any black elected official's mind that the whole process has discouraged honest elections in the city of St. Louis for some time. We know that we have people who cheat in every election. The only way you can win a close election in this town, you have to beat the cheat.

From another side, 11th ward alderman, Matt Villa, said:

> Who knows who did it. But it is apparent they are trying to cheat and steal this election.

The St. Louis Post-Dispatch, which has been aggressively covering this story, noted on its editorial page:

> St. Louis appears to have a full-blown election scandal that grows with each newly discovered box of bogus registration cards.

As I noted earlier, I believe it is our duty to fix what needs to be fixed, reform what needs to be reformed, and prosecute where there has been wrongdoing. In St. Louis, I believe criminal prosecutions are being considered. Coupled with the bill I am introducing today, this should go a long way toward cleaning up what has gone wrong in St. Louis.

I might add, just the threat of criminal prosecutions appear to have made a difference in the mayoral primary in St. Louis last week. It was a lot more honest than it has been in a long time. There is nothing like the healthy atmosphere of possible criminal prosecutions to make people think maybe we should not try to steal this election.

Well, let me go through the list of things we found out are contributing to fraud.

The first obvious problem is the blatant fraud of the bogus voter registrations. With dead people reregistering, fake names, phony addresses, and dogs being registered, it is clear the system is being abused.

Nearly all of these fraudulent registrations were the mail-in forms. Our plan begins by addressing this type of fraud with a few simple reforms. These are changing Federal law, which in some instances, has actually facilitated voter fraud.

1. First-time voters who register by mail would be required to vote in person and present a photo ID the first time after registration. We trust that the local officials would recognize the dog if she came in—even with a photo registration.

2. If the follow-up registration card is returned to the election office as undeliverable by the post office, States would be allowed immediately to remove those names from the rolls, provided they made a good-faith effort to ensure that eligible voters would not be removed from the rolls.

3. Finally, the bill would give the States the authority to include on the mail registration form a place for notarization or other form of authentication. Under current Federal law, States are actually prohibited from including this safeguard.

I believe the incentives for the bogus addresses and fake names would be virtually eliminated by these simple safeguards, while all the legitimate efforts to encourage new voters to register could, should, and must continue.

The second major problem we have seen in St. Louis is that the voter rolls are so clogged up with incorrect or fraudulent data that legal voters are shortchanged. St. Louis city actually, as I said earlier, has more voters listed on its active plus inactive rolls than the voting age population of the city. That is not surprising if they are registering dead people, dogs, and people from vacant lots.

Even more amazing is the fact that the Secretary of State said in a recent report that 5,000 of the names on the inactive list are actually duplicates of other names on the inactive list. There are numerous other examples of names on both the active and inactive lists at the same time. These inactive lists are what is being used for election day registration and voting. They just go in and say my name is on the inactive list. Hundreds were allowed to vote in that instance.

Thus, it is painfully clear that something must be done to keep the voter rolls clean and accurate.

The bill I introduce includes two basic reforms to assist in the cleanup of voter rolls. First, it would require States to conduct a program of cleaning up lists wherever the voter roll list of eligible voters is larger than the number of people of voting age in that county or city. That seems to make only common sense. I can't imagine anyone opposing that if you have more people registered than you have people, something is wrong.

Second, my proposal adopts the commonsense approach just used by the St. Louis election board in their March primary. For those voters whose names have been moved to the inactive list, it would require that a photo ID be presented by the voter as part of their oral or written affirmation of their address when they seek to vote again. The board of elections just required this in last week's election, and that election seemed to go off without a hitch.

I believe these straightforward reforms will go a long way toward restoring the confidence in the voter registration and balloting process. But for those who insist on continuing their fraudulent activities, this bill strengthens criminal penalties for those who commit fraud or conspire to commit voter fraud.

Finally, given the dimensions of the vote fraud scandal in St. Louis, this legislation creates a national pilot project to clean up voter lists in St. Louis in order to assist in ending election day corruption across the Nation.

I have proposed that the Federal Election Commission run the project in St. Louis city and St. Louis County to develop a method we can use nationally to maintain accurate voter rolls and ensure that all properly registered voters are permitted to vote without wrongfully being disenfranchised by failure of their registration to be effective, or by allowing others who are not qualified and registered to vote, diluting their votes. The FEC would also coordinate records of voters registered to vote at places authorized under the National Voter Registration Act of 1993, along with State death and felony conviction records and the official voter registered for each polling place.

As the Missouri Court of Appeals wrote when they shut down the improper efforts to keep only certain polling places open:

> . . . (C)ommendable zeal to protect voting rights must be tempered by the corresponding duty to protect the integrity of the voting process. . . . (E)qual vigilance is required to ensure that only those entitled to vote are allowed to cast a ballot. Otherwise, the rights of those lawfully entitled to vote are inevitably diluted.

With these new tools, and some real leadership, the election boards of St. Louis City, and St. Louis County could get the big broom—and start cleaning up the mess. Criminal investigations are ongoing, I hope that anyone responsible for cheating will be caught and punished. But we must get a handle on the voter rolls. People who register and follow the rules shouldn't be frustrated by inadequate polling places and phone lines or confused by out-of-date lists. At the same time, we must require voter lists to be scrubbed and reviewed in a much more timely manner—so the cheaters cannot use confusion as their friend.

I certainly don't want St. Louis to have the lasting reputation described by my old friend Quincy Troupe:

The only way you can win a close election in this town, you have to beat the cheat.

By Mr. GRASSLEY (for himself, Mr. JEFFORDS, Mr. LEAHY, Mr. MURKOWSKI, Mr. BREAUX, Mr. SMITH of Oregon, Mr. DORGAN, Mrs. FEINSTEIN, Mr. CRAIG, Mrs. MURRAY, Mr. JOHNSON, Mr. SCHUMER, and Mr. CONRAD):

S. 530. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I rise today to introduce important tax legislation for myself and Senators JEFFORDS, LEAHY, MURKOWSKI, BREAUX, SMITH of Oregon, DORGAN, FEINSTEIN, CRAIG, MURRAY, JOHNSON, SCHUMER, and CONRAD.

This legislation, entitled the ''Bipartisan Renewable Efficient Energy with Zero Effluent, (BREEZE) Act'', extends the production tax credit for energy generated by wind for five years. The current tax credit is set to expire on January 1, 2002.

As author of the Wind Energy Incentives Act of 1993, I sought to give this alternative energy source the ability to compete against traditional, finite energy sources. I strongly believe that the expansion and development of wind energy must be facilitated by this production tax credit.

Wind, unlike most energy sources, is an efficient and environmentally safe form of energy production. Wind energy makes valuable contributions to maintaining cleaner air and a cleaner environment. Every 10,000 megawatts of wind energy produced in the United States can reduce carbon monoxide emissions by 33 million metric tons by replacing the combustion of fossil fuels.

Since the inception of the wind energy production tax credit in 1993, more than 1,128 megawatts of generating capacity have been put online. This generating capacity powers nearly 300,000 homes, or 750,000 people.

Over 900 megawatts of new wind energy capacity was added just last year, bringing wind energy generating capacity in the U.S. to more than 2,500 megawatts. This new wind energy will power the equivalent of over 240,000 American homes, while displacing over 1.8 million tons of carbon dioxide.

Equally important, wind energy increases our energy independence, thereby providing the United States with insulation from an oil supply dominated by the Middle East. Our national security is currently threatened by a heavy reliance on oil from abroad.

The price of wind energy has been reduced more than 80 percent in the past two decades, making it the most affordable type of renewable energy. In order to continue this investment in America's energy future, we must extend the production tax credit.

Currently, my own State of Iowa has 4 new wind power projects ready to go online just this year. These 4 projects, with the megawatt capacity of over 240, will join the already existing 20 facilities in Iowa. Even large petroleum producing States like Texas are recognizing the growing potential of wind energy. Texas has the third largest wind farm in the world, and plans to add 5 new facilities this year, adding to the 7 already online.

Moreover, wind energy has vast potential to contribute to California's electricity supply. As we all know, California is currently suffering because of an energy market with insufficient energy generation and production that is overly dependent on natural gas.

Just in the past few weeks, plans have been unveiled to develop what will be the world's two largest wind power plants in the Northwest. One will be installed on the Oregon-Washington boundary and the other at the U.S. Department of Energy's Nevada Test Site. Together, the two plants will have a capacity of 560 megawatts and will generate enough power annually to serve more than half a million people. In addition, a number of other new projects coming online this year in the West will also bring much-needed additional generating capacity to the region.

Wind energy also produces substantial economic benefits. For each wind turbine, a farmer or rancher can receive more than $2,000 per year for 20 years in direct lease payments. Iowa's major wind farms already pay more than $640,000 per year to landowners. In California, the development of 1,000 megawatts would mean annual payments of approximately $2 million to farm and forest landowners.

Extending the wind energy tax credit would allow for even greater expansion in the wind energy field. Wind is a domestically produced natural resource, found abundantly across the country. Because wind energy is homegrown, it cannot be controlled by any foreign power.

Wind energy can be harnessed without injury to our environment. Wind is a reliable form of power that is renewable and inextinguishable. This legislation ensures that wind energy does not fall by the wayside as a productive alternative energy source.

The Senate needs to extend this important legislation and I encourage my colleagues to join us in this effort.

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

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

S. 530

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Renewable, Efficient Energy with Zero Effluent (BREEZE) Act''.

SEC. 2. 5–YEAR EXTENSION OF CREDIT FOR PRODUCING ELECTRICITY FROM WIND.

Section 45(c)(3)(A) of the Internal Revenue Code of 1986 (relating to wind facility) is amended by striking ''January 1, 2002'' and inserting ''January 1, 2007''.

By Mrs. LINCOLN (for herself, Mr. CLELAND, and Mr. DORGAN):

S. 531. A bill to promote recreation on Federal lakes, to require Federal agencies responsible for managing Federal lakes to pursue strategies for enhancing recreational experiences of the public, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. LINCOLN. Mr. President, I rise today to introduce the National Recreation Lakes Act of 2001—a bill that will recognize the benefits and value of recreation at federal lakes and give recreation a seat at the table in the management decisions of all our federal lakes. I am proud to be joined in this effort today by Senator CLELAND of Georgia and Senator DORGAN of North Dakota.

Recreation on our federal lakes has become a powerful tourist magnet, attracting some 900 million visitors annually and generating an estimated $44 billion in economic activity—mostly spent on privately-provided goods and services. And by the middle of this century, our federal lakes are expected to host nearly 2 billion visitors per year.

Yet, even with the millions of visitors each year to our lakes and reservoirs, recreation has suffered from a lack of unifying policy direction and leadership, as well as insufficient interagency and intergovernmental planning and coordination. Most federal agencies are focused on the traditional functions of man-made lakes and reservoirs: flood control, hydroelectric power, water supply, irrigation, and navigation. And often recreation is left out of the decision process.

This legislation will reaffirm that recreation is also an authorized purpose at almost all federal lakes and direct the agencies managing these projects to take action to reemphasize recreation programs in their management plans. This legislation will emphasize partnerships between the Federal Government, local governments, and private groups to promote responsible recreation on all our federal lakes.

It will establish a National Recreation Lakes Demonstration Program comprised of up to 25 lakes across the nation. At each of these federal lakes, the managing agency will be empowered to develop creative agreements with private sector recreation providers as well as state land agencies to enhance recreation opportunities. Rather than just building new federal campgrounds with tax dollars, we need to create new partnerships to provide support for building recreation infrastructure that is in line with visitor and tourist desires for recreation. The National Recreation Lakes Demonstration Program will be a pilot project to test these creative agreements and management techniques on a small scale to demonstrate their effectiveness at promoting recreation on federal lakes.

Second, this legislation will establish a Federal Recreation Lakes Leadership Council to coordinate the National Recreation Lakes Demonstration Program and coordinate efforts among federal agencies to promote recreation on federal lakes.

It also will include the Bureau of Reclamation and the U.S. Army Corps of Engineers in the Recreation Fee Demonstration Program. The Fee Demo Program has had wide successes in Arkansas and across the country in allowing individual parks and recreation areas to keep more of their fee revenues on-site to reduce the often overwhelming maintenance backlog.

The legislation will also provide for periodic review of the management of recreation at federal water projects—something long overdue. A great deal has changed since many of the water projects were authorized, yet the initial legislative direction from over 70 years ago continues to be the basis for the management practices now in the year 2001—and that is not right.

Finally, the legislation will provide new opportunities to link the national recreation lakes initiative with other federal recreation assistance efforts, including the Wallop-Breaux program for boating and fishing.

Let me give you a little background on how this legislation was developed. In 1996, the U.S. Senate recognized that recreation was becoming more important on federal lakes and conceived the National Recreation Lakes Study Commission to review the current and anticipated demand for recreational opportunities on federally managed lakes and reservoirs. The National Recreation Lakes Study Commission were charged to ''review the current and anticipated demand for recreational opportunities at federally managed manmade lakes and reservoirs'' and ''to develop alternatives for enhanced recreational use of such facilities.''

The Commission released its long-awaited report confirming the impact of recreation on federally-managed, man-made lakes in June of last year. The Commission also recognized that we are far from realizing their full potential. The study documented that these lakes are powerful tourist magnets, attracting some 900 million visitors annually and generating an estimated $44 billion dollars in economic activity—mostly spent on privately-provided goods and services.

During the Energy and Natural Resources Committee's hearing in 1999 on the Recreation Lakes Study, the chairman and I spent some time discussing how children today do not take full advantage of the outdoor opportunities that are available to them. It is so important that we encourage our children to enjoy the great outdoors that often times is less than an hour's drive away.

As the mother of twin 4-year-old boys, I feel we need to encourage our children to be children, not to become adults too quickly, to learn how to enjoy the outdoors. The only way we can do that is by exposing them to it early and often.

In this Nation, we have nearly 1,800 federally managed lakes and reservoirs. There are 38 in my home state of Arkansas. With so many federal lakes throughout the country, there's no reason why we shouldn't do all we can to promote recreation. I know that in Arkansas, we don't think twice about getting away to the lake for the weekend to go boating or fishing, or to just get away from the day-to-day grind. And that doesn't even begin to get into the tremendous economic impact from recreation on our federal lakes.

Last August, I conducted a tour of two of our Corps of Engineers managed lakes in Arkansas—Lake Ouachita and Greers Ferry Lake—to observe how our lakes are managed and to see where recreation falls on the priority list. I saw many opportunities where the Corps of Engineers, working with local officials and private citizens, could, through innovative management techniques, better provide for the recreation needs of the thousands of Arkansans that visit Arkansas' lakes each year. This bill will enable our federal lakes in Arkansas and around the country to invest in and manage for recreation so we all can enjoy a day out on the lake.

This bill is not an attempt to completely rewrite how federal lakes in this country are managed or to put recreation in front of all other authorized purposes at federal lakes. The National Recreation Lakes Act of 2001 will work with all current laws and regulations to ensure that recreation is given a seat at the table when the management decisions are made for our federal lakes.

This is a good bill. In everything from the creation of jobs to the money that tourists like myself spend at the marinas and local stores surrounding the lake—our Federal lakes and reservoirs have an immense recreational value that can and does bring revenues into our local economies. The best way to encourage and expand this aspect is to ensure that recreation is given a higher priority in the management of our federal lakes.

I encourage my colleagues to support this legislation and look forward to the debate on how we can promote recreation on our federal lakes.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 531

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Recreation Lakes Act of 2001''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) recreation is an authorized purpose at almost all Federal lakes;

(2) lakes created by Federal dam projects have become powerful magnets for diverse recreation activities, drawing hundreds of millions of visits annually and generating tens of billions of dollars in economic benefits;

(3) recreational opportunities are provided at such lakes, on surrounding land, and on downstream tailwaters by Federal agencies and through partnerships among Federal, State, and local government agencies and private persons; and

(4) the quality of recreational opportunities at and around Federal lakes depends on clean air and water and attractive viewsheds.

(b) PURPOSES.—The purposes of this Act are—

(1) to require Federal agencies responsible for management of lakes created by Federal dam projects to pursue strategies for enhancing recreational experiences at the lakes; and

(2) to direct Federal agencies to investigate the possibilities for the use of, and to use, creative management of the project lakes that optimizes both recreational opportunities and other purposes of the project lakes, including—

(A) provision of agricultural and municipal water supplies;

(B) provision of flood control and navigation benefits;

(C) production of hydroelectric power; and

(D) protection of water quality.

SEC. 3. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term ''Council'' means the Federal Lakes Recreation Leadership Council established by section 5.

(2) NATIONAL RECREATION DEMONSTRATION LAKE.—The term ''national recreation demonstration lake'' means a project lake that is designated as a national recreation demonstration lake under section 4.

(3) PARTICIPATING AGENCY.—The term ''participating agency'' means—

(A) the Bureau of Indian Affairs;

(B) the Bureau of Land Management;

(C) the Bureau of Reclamation;

(D) the National Park Service;

(E) the United States Fish and Wildlife Service;

(F) the Forest Service;

(G) the Army Corps of Engineers;

(H) the Tennessee Valley Authority; and

(I) any other project lake management agency that participates in the Program at the request of the Council.

(4) PROGRAM.—The term ''Program'' means the national recreation lakes demonstration program established by section 4.

(5) PROJECT LAKE.—The term ''project lake'' means an impoundment of water that—

(A) is part of a water resources project operated, maintained, or constructed by or with the participation of any Federal agency;

(B) has a maximum storage capacity of 200 acre feet or more; and

(C) includes recreation as an authorized purpose.

(6) PROJECT LAKE MANAGEMENT AGENCY.—The term ''project lake management agency'' means a Federal agency that manages a project lake.

(7) RECREATION.—

(A) IN GENERAL.—The term ''recreation'' means—

(i) a water-related recreational activity that takes place on, adjacent to, or in a project lake or tailwater; and

(ii) a recreational activity or wildlife-related activity that takes place on federally managed land in the vicinity of a project

lake that is permitted under a land management plan in effect on the date of enactment of this Act.

(B) INCLUSIONS.—The term ''recreation'' includes—

(i) boating (including power boating, sailing, rafting, kayaking, and canoeing), diving, swimming, camping, trail-based activities, and picnicking; and

(ii) fishing and other wildlife-related activity.

SEC. 4. NATIONAL RECREATION LAKES DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—There is established the National Recreation Lakes Demonstration Program consisting of the 25 national recreation demonstration lakes to be established under this Act.

(b) CRITERIA.—

(1) IN GENERAL.—The Council shall develop and establish criteria for use in selecting project lakes managed by participating agencies for designation as national recreation demonstration lakes.

(2) REQUIREMENTS.—The criteria shall—

(A) include lake size, diversity of current and potential recreational uses, opportunities for partnerships with private and public entities, and present and projected regional recreation demand; and

(B) require a strong showing of local support from the area of the lake, including support from State and local governments, private citizens, and businesses.

(3) CONSULTATION.—In developing the criteria, the Council shall consult with participating agencies to encourage the nomination of project lakes for the Program so as to include project lakes in all regions of the country and project lakes that will provide a variety of recreational experiences.

(c) NOMINATION OF NATIONAL RECREATION DEMONSTRATION LAKES.—A participating agency or an interest group located in the immediate vicinity of a project lake may nominate the project lake to become a national recreation demonstration lake by submitting to the Council a nomination in accordance with such procedures as the Council may establish.

(d) DESIGNATION OF NATIONAL RECREATION DEMONSTRATION LAKES.—

(1) IN GENERAL.—On receiving the nominations from participating agencies and local interest groups, the Council shall designate 25 project lakes to be national recreation demonstration lakes.

(2) SELECTION CRITERIA.—In selecting project lakes for designation as national recreation demonstration lakes, the Council shall endeavor to include project lakes in all regions of the country and project lakes that will provide a variety of recreational experiences.

(3) EFFECTIVE PERIOD.—A designation of a project lake as a national recreation demonstration lake shall be effective for a period not to exceed 10 years.

(e) AUTHORIZED ACTIVITIES AT NATIONAL RECREATION DEMONSTRATION LAKES.—

(1) ENHANCEMENT OF RECREATION ACTIVITIES.—Each participating agency shall use authorities under this Act to enhance opportunities for recreation activities on, in, and in the vicinity of national recreation demonstration lakes.

(2) NEW AUTHORITIES.—In accordance with the Act of October 22, 1986 (16.U.S.C 497b) and the Act of November 13, 1998 (16 U.S.C. 5951 et seq.), the head of any participating agency except the National Park Service may conduct any activity to experiment with permits, fees, concession agreements, and innovative management structures at a national recreation demonstration lake under the jurisdiction of the participating agency.

(3) ASSISTANCE TO UNITS OF LOCAL GOVERNMENT IN THE VICINITY OF A NATIONAL RECREATION DEMONSTRATION LAKE.—The head of any participating agency that manages a national recreation demonstration lake may carry out activities (including planning and marketing activities, the establishment of advisory boards, and other activities) to improve communications and cooperation between the agency and local community interests in the vicinity of the lake with respect to management of the national recreation demonstration lake.

(f) LOCAL ADVISORY COMMITTEES.—

(1) ESTABLISHMENT AND PURPOSE.—Under guidelines developed by the Council, the head of a participating agency shall establish, for each national recreation demonstration lake managed by the agency, a local advisory committee comprised of State and local government and private sector representatives.

(2) DUTIES.—The duties of a local advisory committee shall be to recommend and coordinate with project lake managers on projects proposed to be completed by the participating agency under the Program.

(3) OTHER AUTHORITIES AND REQUIREMENTS.—

(A) MEETINGS.—All meetings of a local advisory committee shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

(B) RECORDS.—A local advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

(C) COMPENSATION.—Members of a local advisory committee shall not receive any compensation.

(D) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a local advisory committee established under paragraph (1).

SEC. 5. FEDERAL LAKES RECREATION LEADERSHIP COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the ''Federal Lakes Recreation Leadership Council'' as contemplated by the memorandum of agreement among the Secretary of the Interior, Secretary of Agriculture, Secretary of the Army, and Chairman of the Tennessee Valley Authority dated October 27, 1999.

(b) MEMBERSHIP.—The Council shall be composed of—

(1) the Secretary of the Interior (or designee), who shall serve as the Chairperson of the Council;

(2) the Secretary of the Army (or designee);

(3) the Secretary of Agriculture (or designee);

(4) the Director of the Tennessee Valley Authority (or designee);

(5) a representative of the recreation industry, appointed by the President;

(6) a representative of the National Association of State Park Directors, appointed by the President; and

(7) a director of a State Fish and Wildlife Agency, appointed by the President.

(c) TERMS; VACANCIES.—

(1) TERM.—

(A) IN GENERAL.—Except as provided under subparagraph (B), a member shall be appointed for the life of the Council.

(B) PRESIDENTIAL APPOINTEE.—A member of the Council appointed under paragraphs (5), (6), or (7) of subsection (b) shall be appointed for a term of 5 years.

(2) VACANCIES.—A vacancy on the Council—

(A) shall not affect the powers of the Council; and

(B) shall be filled in the same manner as the original appointment was made.

(d) PURPOSE.—The purpose of the Council shall be to—

(1) increase the awareness of the social and economic values associated with project lake recreation among project lake management agencies and other stakeholders with an interest in recreation at project lakes;

(2) develop policies that provide an environment for success that emphasizes the role of recreation at project lakes;

(3) protect and manage recreation and other resources to optimize all resource benefits; and

(4) promote a process that will involve Federal, State, tribal, and local units of government and field managers in the planning, development, and management of recreation uses at project lakes.

(e) DUTIES.—The Council shall—

(1)(A) work to implement the goals and recommendations of the National Recreation Lakes Study Commission as detailed in the Commission's 1999 report entitled ''Reservoirs of Opportunity''; and

(B) use the report as a guide for all Council actions;

(2) solicit each project lake management agency to become a participating agency;

(3) respond to requests for assistance from Members of Congress in drafting legislation, including new authorization and funding requirements, to best achieve the purposes of this Act;

(4) promote collaboration among agencies to provide training opportunities, interagency development assignments, and regular lake manager meetings;

(5) promote the development and consistency of—

(A) data collection at project lakes, including—

(i) making scientific assessments of watershed and natural resource conditions; and

(ii) making assessments of customer facility and infrastructure needs; and

(B) required maintenance schedules;

(6) promote agency policies that encourage construction, operation, and maintenance of high quality visitor and recreational services and facilities by concessioners and permittees at project lakes, including adequate opportunities for profitability and recovery of capital investments;

(7) develop consistent guidance to encourage construction, operation, and maintenance of commercial recreation facilities and other visitor amenities at project lakes;

(8) recognize and reward innovation and collaboration at project lakes;

(9) develop public information materials to identify the type and location of recreation facilities and programs at project lakes;

(10) promote cooperation and share new approaches from Federal and State managing agencies, Indian tribes, and the private sector to embrace a culture of innovation and entrepreneurship;

(11) develop training courses on business skills to close the recreation needs gap;

(12) support annual regional workshops with State, tribal, local, and private sector participants to seek feedback and assistance in achieving the goals of the Program;

(13) develop and establish an application and selection process to implement the Program;

(14) develop guidelines for the formation of local advisory committees to be established by project lake management agencies managing national recreation demonstration lakes; and

(15) develop and administer a competitive grant program for distributing available funds among national recreation demonstration lakes for purposes described in this Act under which—

(A) the total number of lakes improved under the program shall not exceed 25 lakes; and

(B) grants are provided in a manner that, to the maximum extent practicable, reflects the geographical diversity of the United States.

(f) PRINCIPLES.—In all its actions and recommendations, the Council shall consider the following principles:

(1) WATERSHED HEALTH.—The health of the watersheds associated with project lakes must be protected.

(2) NEIGHBORING COMMUNITIES.—Neighboring communities should be encouraged to participate in planning the recreation needs and other uses of project lakes to help to diversify the economic base of the community and promote sustainable practices to protect resources.

(3) FEDERAL RESPONSIBILITIES.—Federal responsibilities to enhance recreation at project lakes while operating projects to optimize water use for all beneficial purposes should be reaffirmed.

(4) MANAGEMENT FLEXIBILITY.—Management flexibility should be increased and support for management innovation should be demonstrated.

(5) SUPPORT.—Public and private support should be attracted to provide public outdoor recreation activities at project lakes.

(g) FACA.—The Council shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(h) TERMINATION OF COUNCIL.—The Council shall terminate 15 years after the date on which funds are first made available to carry out this section.

SEC. 6. PERIODIC REVIEW AND REVISION OF OPERATING POLICIES FOR PROJECT LAKES.

(a) REPORTS.—

(1) PROJECT LAKE MANAGEMENT AGENCIES.—Not later than 1 year after the date of enactment of this Act, the head of each project lake management agency shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Resources of the House of Representatives, and the Council a report that describes—

(A) actions taken by the agency to communicate to personnel of the agency the requirements of this Act and other laws relating to recreation use of project lakes; and

(B) actions to be taken by the agency to expand recreation opportunities at project lakes, including a schedule for taking the actions.

(2) COUNCIL.—Not later than 3 years after the date of enactment of this Act, and every 2 years thereafter, the Council shall submit to the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources of the House of Representatives a report describing actions taken by participating agencies to expand recreation opportunities at project lakes.

(3) PARTICIPATING AGENCIES.—

(A) PERIODIC REPORTS.—The head of each participating agency shall periodically report to the Council regarding activities of the participating agency under this section.

(B) COMPREHENSIVE REVIEW.—Not later than 5 years after the date of enactment of this Act and at least once every 15 years thereafter, the head of each participating agency shall conduct a comprehensive review of operating policies for project lakes managed by the agency that describes—

(i) the actions taken by the agency to communicate to personnel of the agency the requirements of this Act and other laws relating to recreation use of project lakes; and

(ii) the actions to be taken by the agency to expand recreation opportunities at project lakes, including a schedule for taking the actions.

(b) POLICIES.—

(1) IN GENERAL.—The head of each project lake management agency shall—

(A) revise the policies of the agency as necessary to incorporate new information and ensure coordinated management of project lakes to produce high levels of benefits for recreation and all authorized purposes and designated uses of project lakes; and

(B) where recreation is consistent with the project lake purposes and designated uses of project lands and waters, give recreation appropriate attention in all agency decisions and policies relating to the project lake.

(2) TAILWATERS.—In conducting any activity relating to the tailwater of a project lake, the head of a project lake management agency shall—

(A) investigate ways to consider recreational uses dependent on water release schedules and release volumes;

(B) consider release schedules to enhance such opportunities and uses of the tailwater; and

(C) appropriately balance all of the purposes of the project.

SEC. 7. RECREATION FEE DEMONSTRATION PROGRAM.

Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (16 U.S.C. 4601–6a note; Public Law 104–134), is amended—

(1) in subsection (a)—

(A) by inserting '', the Bureau of Reclamation,'' after ''the National Park Service'';

(B) by striking ''Service) and'' and inserting ''Service),''; and

(C) by inserting before ''shall each'' the following: '', and the Secretary of the Army (acting through the Corps of Engineers)'';

(2) in subsection (b), by striking ''four agencies'' and inserting ''6 agencies''; and

(3) in subsection (e)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting '', and the Secretary of the Army'' before ''shall carry out''.

SEC. 8. USE OF FEDERAL WATER PROJECT FUNDING FOR MATCHING REQUIREMENTS FOR RECREATION PROJECTS AT NATIONAL RECREATION DEMONSTRATION LAKES.

(a) FEDERAL WATER PROJECT RECREATION ACT.—The Federal Water Project Recreation Act is amended—

(1) in section 2 (16 U.S.C. 460l–13)—

(A) in subsection (a), by striking ''it and to bear'' and all that follows through ''recreation,'' and inserting ''the project,''; and

(B) in subsection (b)—

(i) by striking ''recreation and''; and

(ii) by striking ''recreation or'';

(2) in section 3 (16 U.S.C. 460l–14)—

(A) in subsection (b)(1), by striking ''it and will bear'' the first place it appears and all that follows through ''recreation,'' and inserting ''the project,''; and

(B) in subsection (c), by striking paragraph (2); and

(3) in section 4 (16 U.S.C. 460l–15), by striking ''recreation and'' and all that follows through ''those purposes'' and inserting ''fish and wildlife purposes''.

(b) FEDERAL AID IN FISH RESTORATION ACT.—The Act of August 9, 1950 (16 U.S.C. 777 et seq.) is amended by striking the first section 13 (relating to effective date) and the second section 13 (relating to State use of contributions) and inserting the following:

''SEC. 13. APPLICATION OF FEDERAL WATER PROJECT SPENDING TO NON-FEDERAL SHARE OF COVERED RECREATION PROJECTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED RECREATION PROJECT.—The term 'covered recreation project' means construction or reconstruction of a facility for recreation at a national recreation demonstration lake that is carried out with assistance under this Act.

''(2) NATIONAL RECREATION DEMONSTRATION LAKE.—The term 'national recreation demonstration lake' has the meaning given the term in section 2 of the National Recreation Lakes Act of 2001.

''(3) RECREATION.—The term 'recreation' has the meaning given the term in section 2 of the National Recreation Lakes Act of 2001.

''(b) TREATMENT OF USE OF AMOUNTS APPROPRIATED FOR A FEDERAL WATER PROJECT.—The use for any covered recreation project of amounts appropriated for a Federal water project shall be treated as payment of the non-Federal share of costs required under this Act.''.

(c) FEDERAL AID IN WILDLIFE RESTORATION ACT.—The Act of September 2, 1937 (16 U.S.C. 669 et seq.) is amended—

(1) by redesignating section 10 as section 11; and

(2) by inserting after section 9 the following:

''SEC. 10. APPLICATION OF FEDERAL WATER PROJECT SPENDING TO NON-FEDERAL SHARE OF RECREATION PROJECTS.

''(a) DEFINITIONS.—In this section:

''(1) COVERED RECREATION PROJECT.—The term 'covered recreation project' means construction or reconstruction of a facility for recreation at a national recreation demonstration lake that is carried out with assistance under this Act.

''(2) NATIONAL RECREATION DEMONSTRATION LAKE.—The term 'national recreation demonstration lake' has the meaning given the term in section 2 of the National Recreation Lakes Act of 2001.

''(3) RECREATION.—The term 'recreation' has the meaning given the term in section 2 of the National Recreation Lakes Act of 2001.

''(b) TREATMENT OF USE OF AMOUNTS APPROPRIATED FOR A FEDERAL WATER PROJECT.—The use for any covered recreation project of amounts appropriated for a Federal water project shall be treated as payment of the non-Federal share of costs required under this Act.''.

SEC. 9. COST-SHARE ASSISTANCE FOR RECONSTRUCTION OR REPLACEMENT OF RECREATION FACILITY.

(a) ASSISTANCE AUTHORIZED.—The head of each project lake management agency may provide financial assistance to a State or local agency to cover a portion of the total costs incurred for the reconstruction or replacement of a recreation facility operated under an agreement with the State or local agency at a project lake.

(b) COSTS INCLUDED.—The total costs of reconstruction or replacement of a recreation facility include the costs associated with all components of the reconstruction or replacement project, including—

(1) project administration;

(2) the provision of technical assistance; and

(3) contracting and construction costs.

(c) LIMITATION.—Assistance provided under subsection (a) shall not be used for costs incurred in maintaining or operating the recreation facility.

SEC. 10. RELATIONSHIP TO OTHER LAWS.

This Act does not affect—

(1) the purposes of any project lake authorized before the date of enactment of this Act;

(2) the authority of any State to manage fish and wildlife; or

(3) the authority of any State or the Federal Government to enter into any agreement relating to a project lake.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $10,000,000 for each of fiscal years 2002 through 2006, to remain available until expended.

(b) ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds made available under

subsection (a) may be used to pay administrative costs incurred by the Secretary of the Interior in coordinating the activities of the Council and participating agencies under this Act.

Mr. DORGAN. Mr. President, I want to express my support for the National Recreation Lakes Act which is being introduced today by Senator BLANCHE LINCOLN and others. This bill will give recreation interests a seat at the table when decisions are made about the use of Federal lakes. I think that this bill in an important part of recognizing the great benefits that our Federal lakes provide to communities all across the country.

This bill creates a pilot program that will encompass 25 national recreation demonstration lakes. These lakes will ensure that recreational interests get a voice in the decision making process. We rely on these lakes for so many different things: irrigation, hydro-power, navigation. In many cases, recreational interests are an afterthought. This bill will give recreation the priority that it deserves.

Lake Sakakawea is located in my home state of North Dakota. I have worked with the community leaders there to try and make the importance of recreational interests a part of the discussion regarding the level of the lake and the use of the water in the lake. This is a perfect example of a lake that would benefit from this legislation.

I commend Senator LINCOLN for the hard work that she has done on this legislation and I look forward to working with her to move this bill through the legislative process.

By Mr. DORGAN (for himself, Mr. BAUCUS, Mr. BURNS, Mr. DASCHLE, Mr. JOHNSON, and Mr. CONRAD):

S. 532. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit a State to register a Canadian pesticide for distribution and use within that State; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DORGAN. Mr. President, today, along with Senators BAUCUS, BURNS, DASCHLE, JOHNSON, and CONRAD, I am introducing legislation that would provide equitable treatment for U.S. farmers in the pricing of agricultural pesticides. This legislation would allow a state, a person, or a farm organization or cooperative/farm supply company to serve as a registrant for a Canadian pesticide which is identical or substantially similar to a U.S. registered pesticide. This bill is identical to the legislation I introduced last September.

The need for this legislation is as great as ever. We are about to start spring planting, and U.S. farmers are once again going to be required to pay more—in some cases almost twice as much—than their Canadian counterparts for crop protection products that are virtually identical in substance.

I have pointed out in the past that when the U.S.-Canada Free Trade Agreement came into effect, part of the understanding on agriculture was that our two nations were going to move rapidly toward the harmonization of pesticide regulations. Howsever, we have entered a new decade, and century, no less, and relatively little progress in harmonization has been accomplished that is meaningful to family farmers.

Since this trade agreement took effect, the pace of Canadian spring and durum wheat, and barley exports to the United States have grown from a barely noticeable trickle into annual floods of imported grain into our markets. Over the years, I have described many factors that have produced this unfair trade relationship and un-level playing field between farmers of our two nations. The failure to achieve harmonization in pesticides between the United States and Canada compounds this ongoing trade problem.

Our farmers are concerned that agricultural pesticides that are not available in the United States are being utilized by farmers in Canada to produce wheat, barley, and other agricultural commodities that are subsequently imported and consumed in the United States. They rightfully believe that it is unfair to import commodities produced with agricultural pesticides that are not available to U.S. producers. However, it is not just a difference of availability of agricultural pesticides between our two countries, but also in the pricing of these chemicals.

A year ago, our farmers were denied the right to bring a pesticide across the border that was cleared for use in our country, but was not available locally because the company who manufacturers this product chose not to sell it here. They were selling a more expensive version of the product here. The simple fact is, this company was using our environmental protection laws as a means to extract a higher price from our farmers. This simply is not right.

I have pointed out, time and time again, the fact that there are significant differences in prices being paid for essentially the same pesticide by farmers in our two countries. In fact, in a recent survey, farmers in the United States were paying between 117 percent and 193 percent higher prices than Canadian farmers for a number of pesticides. This was after adjusting for differences in currency exchange rates at that time.

The farmers in my state are simply fed up with what is going on. They see grain flooding across the border, while they are unable to access the more inexpensive production inputs available in our ''free trade'' environment. And I might add, this grain coming into our country has been treated with these products which our farmers are denied access to. This simply must end.

As I stated earlier, today, my colleagues and I are reintroducing legislation that would take an important step in providing equitable treatment for U.S. farmers in the pricing of agricultural pesticides. This bill would only deal with agricultural chemicals that are identical or substantially similar. It only deals with pesticides that have already undergone rigorous review processes and whose formulations have been registered and approved for use in both countries by the respective regulatory agencies.

The bill would establish a procedure by which states may apply for and receive an Environmental Protection Agency label for agricultural chemicals sold in Canada that are identical or substantially similar to agricultural chemicals used in the United States. Thus, U.S. producers and suppliers could purchase such chemicals in Canada for use in the United States. The need for this bill is created by pesticide companies which use chemical labeling laws to protect their marketing and pricing structures, rather than the public interest. In their selective labeling of identical or substantially similar products across the border they are able to extract unjustified profits from farmers, and create un-level pricing fields between our two countries.

This bill is one legislative step in the process of full harmonization of pesticides between our two nations. It is designed specifically to address the problem of pricing differentials on chemicals that are currently available in both countries. We need to take this step, so that we can begin the process of creating a level playing field between farmers of our two countries. This bill would make harmonization a reality for those pesticides in which their actual selling price is the only real difference.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 532

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

SECTION 1. REGISTRATION OF CANADIAN PESTICIDES BY STATES.

(a) IN GENERAL.—Section 24 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136v) is amended by adding at the end the following:

''(d) REGISTRATION OF CANADIAN PESTICIDES BY STATES.—

''(1) DEFINITIONS.—In this subsection:

''(A) CANADIAN PESTICIDE.—The term 'Canadian pesticide' means a pesticide that—

''(i) is registered for use as a pesticide in Canada;

''(ii) is identical or substantially similar in its composition to a comparable domestic pesticide registered under section 3; and

''(iii) is registered in Canada by the registrant of the comparable domestic pesticide or by an affiliated entity of the registrant.

''(B) COMPARABLE DOMESTIC PESTICIDE.—The term 'comparable domestic pesticide' means a pesticide—

''(i) that is registered under section 3;

''(ii) the registration of which is not under suspension;

''(iii) that is not subject to—

''(I) a notice of intent to cancel or suspend under any provision of this Act;

''(II) a notice for voluntary cancellation under section 6(f); or

''(III) an enforcement action under any provision of this Act;

''(iv) that is used as the basis for comparison for the determinations required under paragraph (4);

''(v) that is registered for use on each site of application for which registration is sought under this subsection;

''(vi) for which no use is the subject of a pending interim administrative review under section 3(c)(8);

''(vii) that is not subject to any limitation on production or sale agreed to by the Administrator and the registrant or imposed by the Administrator for risk mitigation purposes; and

''(viii) that is not classified as a restricted use pesticide under section 3(d).

''(2) AUTHORITY TO REGISTER CANADIAN PESTICIDES.—

''(A) IN GENERAL.—A State may register a Canadian pesticide for distribution and use in the State if the registration—

''(i) complies with this subsection;

''(ii) is consistent with this Act; and

''(iii) has not previously been disapproved by the Administrator.

''(B) PRODUCTION OF ANOTHER PESTICIDE.—A pesticide registered under this subsection shall not be used to produce a pesticide registered under section 3 or subsection (c).

''(C) EFFECT OF REGISTRATION.—A registration of a Canadian pesticide by a State under this subsection—

''(i) shall be deemed to be a registration under section 3 for all purposes of this Act; and

''(ii) shall authorize distribution and use only within that State.

''(D) REGISTRANT.—

''(i) IN GENERAL.—A State may register a Canadian pesticide under this subsection on its own motion or on application of any person.

''(ii) STATE OR APPLICANT AS REGISTRANT.—

''(I) STATE.—If a State registers a Canadian pesticide under this subsection on its own motion, the State shall be considered to be the registrant of the Canadian pesticide for all purposes of this Act.

''(II) APPLICANT.—If a State registers a Canadian pesticide under this subsection on application of any person, the person shall be considered to be the registrant of the Canadian pesticide for all purposes of this Act.

''(3) REQUIREMENTS FOR REGISTRATION SOUGHT BY PERSON.—A person seeking registration by a State of a Canadian pesticide in a State under this subsection shall—

''(A) demonstrate to the State that the Canadian pesticide is identical or substantially similar in its composition to a comparable domestic pesticide; and

''(B) submit to the State a copy of—

''(i) the label approved by the Pesticide Management Regulatory Agency for the Canadian pesticide; and

''(ii) the label approved by the Administrator for the comparable domestic pesticide.

''(4) STATE REQUIREMENTS FOR REGISTRATION.—A State may register a Canadian pesticide under this subsection if the State—

''(A) obtains the confidential statement of formula for the Canadian pesticide;

''(B) determines that the Canadian pesticide is identical or substantially similar in composition to a comparable domestic pesticide;

''(C) for each food or feed use authorized by the registration—

''(i) determines that there exists an adequate tolerance or exemption under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) that permits the residues of the pesticide on the food or feed; and

''(ii) identifies the tolerances or exemptions in the notification submitted under subparagraph (E);

''(D) obtains a label approved by the Administrator that—

''(i)(I) includes all statements, other than the establishment number, from the approved labeling of the comparable domestic pesticide that are relevant to the uses registered by the State; and

''(II) excludes all labeling statements relating to uses that are not registered by the State;

''(ii) identifies the State in which the product may be used;

''(iii) prohibits sale and use outside the State identified under clause (ii);

''(iv) includes a statement indicating that it is unlawful to use the Canadian pesticide in the State in a manner that is inconsistent with the labeling approved by the Administrator under this subsection; and

''(v) identifies the establishment number of the establishment in which the labeling approved by the Administrator will be affixed to each container of the Canadian pesticide; and

''(E) not later than 10 business days after the issuance by the State of the registration, submit to the Administrator a written notification of the action of the State that includes—

''(i) a description of the determination made under this paragraph;

''(ii) a statement of the effective date of the registration;

''(iii) a confidential statement of the formula of the registered pesticide; and

''(iv) a final printed copy of the labeling approved by the Administrator.

''(5) DISAPPROVAL OF REGISTRATION BY ADMINISTRATOR.—

''(A) IN GENERAL.—The Administrator may disapprove the registration of a Canadian pesticide by a State under this subsection if the Administrator determines that the registration of the Canadian pesticide by the State—

''(i) does not comply with this subsection or the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(ii) is inconsistent with this Act.

''(B) EFFECTIVE PERIOD.—If the Administrator disapproves a registration by a State under this subsection by the date that is 90 days after the date on which the State issues the registration, the registration shall be ineffective after the 90th day.

''(6) LABELING OF CANADIAN PESTICIDES.—

''(A) IN GENERAL.—Each container containing a Canadian pesticide registered by a State shall bear the label that is approved by the Administrator under this subsection.

''(B) DISPLAY OF LABEL.—The label shall be securely attached to the container and shall be the only label visible on the container.

''(C) ORIGINAL CANADIAN LABEL.—The original Canadian label on the container shall be preserved underneath the label approved by the Administrator.

''(D) PREPARATION AND USE OF LABELS.—After a Canadian pesticide is registered under this subsection, the registrant shall—

''(i) prepare labels approved by the Administrator for the Canadian pesticide; and

''(ii) conduct or supervise all labeling of the Canadian pesticide with the approved labeling.

''(E) REGISTERED ESTABLISHMENTS.—Labeling of a Canadian pesticide under this subsection shall be conducted at an establishment registered by the registrant under section 7.

''(F) ESTABLISHMENT REPORTING REQUIREMENTS.—An establishment registered for the sole purpose of labeling under this paragraph shall be exempt from the reporting requirements of section 7(c).

''(7) REVOCATION.—

''(A) IN GENERAL.—After the registration of a Canadian pesticide, if the Administrator finds that the Canadian pesticide is not identical or substantially similar in composition to a comparable domestic pesticide, the Administrator may issue an emergency order revoking the registration of the Canadian pesticide.

''(B) TERMS OF ORDER.—The order—

''(i) shall be effective immediately;

''(ii) may prohibit the sale, distribution, and use of the Canadian pesticide; and

''(iii) may require the registrant of the Canadian pesticide to purchase and dispose of any unopened product subject to the order.

''(C) REQUEST FOR HEARING.—Not later than 10 days after issuance of the order, the registrant of the Canadian pesticide subject to the order may request a hearing on the order.

''(D) FINAL ORDER.—If a hearing is not requested in accordance with subparagraph (C), the order shall become final and shall not be subject to judicial review.

''(E) JUDICIAL REVIEW.—If a hearing is requested on the order, judicial review may be sought only at the conclusion of the hearing on the order and following the issuance by the Administrator of a final revocation order.

''(F) PROCEDURE.—A final revocation order issued following a hearing shall be reviewable in accordance with section 16.

''(8) SUSPENSION OF STATE AUTHORITY TO REGISTER CANADIAN PESTICIDES.—

''(A) IN GENERAL.—If the Administrator finds that a State that has registered 1 or more Canadian pesticides under this subsection is not capable of exercising adequate controls to ensure that registration under this subsection is consistent with this subsection, other provisions of this Act, or the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), or has failed to exercise adequate controls of 1 or more Canadian pesticides registered under this subsection, the Administrator may suspend the authority of the State to register Canadian pesticides under this subsection until such time as the Administrator determines that the State can and will exercise adequate control of the Canadian pesticides.

''(B) NOTICE AND OPPORTUNITY TO RESPOND.—Before suspending the authority of a State to register a Canadian pesticide, the Administrator shall—

''(i) notify the State that the Administrator proposes to suspend the authority and the reasons for the proposed suspension; and

''(ii) before taking final action to suspend authority under this subsection, provide the State an opportunity to respond to the proposal to suspend within 30 calendar days after the State receives notice under clause (i).

''(9) LIMITS ON LIABILITY.—No action for monetary damages may be heard in any Federal court against—

''(A) a State acting as a registering agency under the authority of and consistent with this subsection for injury or damage resulting from the use of a product registered by the State under this subsection; or

''(B) a registrant for damages resulting from adulteration or compositional alteration of a Canadian pesticide registered under this subsection if the registrant did not have and could not reasonably have obtained knowledge of the adulteration or compositional alteration.

''(10) DISCLOSURE OF INFORMATION BY ADMINISTRATOR TO THE STATE.—The Administrator may disclose to a State that is seeking to register a Canadian pesticide in the State information that is necessary for the State to make the determinations required by paragraph (4) if the State certifies to the

Administrator that the State can and will maintain the confidentiality of any trade secrets and commercial or financial information provided by the Administrator to the State under this subsection to the same extent as is required under section 10.

''(11) PROVISION OF INFORMATION BY REGISTRANTS OF COMPARABLE DOMESTIC PESTICIDES.—

''(A) IN GENERAL.—On request by a State, the registrant of a comparable domestic pesticide shall provide to the State that is seeking to register a Canadian pesticide in the State under this subsection information that is necessary for the State to make the determinations required by paragraph (4) if the State certifies to the registrant that the State can and will maintain the confidentiality of any trade secrets and commercial and financial information provided by the registrant to the State under this subsection to the same extent as is required under section 10.

''(B) PENALTY FOR NONCOMPLIANCE.—

''(i) IN GENERAL.—If the registrant of a comparable domestic pesticide fails to provide to the State, not later than 15 days after receipt of a written request by the State, information possessed by or reasonably accessible to the registrant that is necessary to make the determinations required by paragraph (4), the Administrator may assess a penalty against the registrant of the comparable pesticide.

''(ii) AMOUNT.—The amount of the penalty shall be equal to the product obtained by multiplying—

''(I) the difference between the per-acre cost of the application of the comparable domestic pesticide and the application of the Canadian pesticide, as determined by the Administrator; and

''(II) the number of acres in the State devoted to the commodity for which the State registration is sought.

''(C) NOTICE AND OPPORTUNITY FOR HEARING.—No penalty under this paragraph shall be assessed unless the registrant is given notice and opportunity for a hearing in accordance with section 14(a)(3).

''(D) ISSUES AT HEARING.—The only issues for resolution at the hearing shall be—

''(i) whether the registrant of the comparable domestic pesticide failed to timely provide to the State the information possessed by or reasonably accessible to the registrant that was necessary to make the determinations required by paragraph (4); and

''(ii) the amount of the penalty.

''(12) PENALTY FOR DISCLOSURE BY STATE.—

''(A) IN GENERAL.—The State shall not make public information obtained under paragraph (10) or (11) that is privileged and confidential and contains or relates to trade secrets or commercial or financial information.

''(B) DISCLOSURE.—Any State employee who willfully discloses information described in subparagraph (A) shall be subject to penalties described in section 10(f).

''(13) DATA COMPENSATION.—A State or person registering a Canadian pesticide under this subsection shall not be liable for compensation for data supporting the registration if the registration of the Canadian pesticide in Canada and the registration of the comparable domestic pesticide are held by the same registrant or by affiliated entities.

''(14) FORMULATION CHANGES.—

''(A) IN GENERAL.—The registrant of a comparable domestic pesticide shall notify the Administrator of any change in the formulation of a comparable domestic pesticide or a Canadian pesticide registered by the registrant or an affiliated entity not later than 30 days before any sale or distribution of the pesticide containing the new formulation.

''(B) STATEMENT OF FORMULA.—The registrant of the comparable domestic pesticide shall submit, with the notice required under subparagraph (A), a confidential statement of the formula for the new formulation if the registrant has possession of or reasonable access to the information.

''(C) SUSPENSION OF REGISTRATION FOR NONCOMPLIANCE.—

''(i) IN GENERAL.—If the registrant fails to provide notice or submit a confidential statement of formula as required by this paragraph, the Administrator may issue a notice of intent to suspend the registration of the comparable domestic pesticide for a period of not less than 1 year.

''(ii) EFFECTIVE DATE.—The suspension shall become final not later than the end of the 30-day period beginning on the date of the issuance by the Administrator of the notice of intent to suspend the registration, unless during the period the registrant requests a hearing.

''(iii) HEARING PROCEDURE.—If a hearing is requested, the hearing shall be conducted in accordance with section 6(d).

''(iv) ISSUES.—The only issues for resolution at the hearing shall be whether the registrant has failed to provide notice or submit a confidential statement of formula as required by this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136v(c)) is amended—

(A) in paragraph (1), by inserting ''IN GENERAL.—'' after ''(1)'';

(B) in paragraph (2), by inserting ''DISAPPROVAL.—'' after ''(2)'';

(C) in paragraph (3), by inserting ''CONSISTENCY WITH FEDERAL FOOD, DRUG, AND COSMETIC ACT.—'' after ''(3)''; and

(D) by striking ''(4) If the Administrator'' and inserting the following:

''(4) SUSPENSION OF AUTHORITY TO REGISTER PESTICIDES.—Except as provided in subsection (d)(8), if the Administrator''.

(2) The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by striking the item relating to section 24(c) and inserting the following:

''(c) Additional uses.
''(1) In general.
''(2) Disapproval.
''(3) Consistency with Federal Food, Drug, and Cosmetic Act.
''(4) Suspension of authority to register pesticides.
''(d) Registration of Canadian pesticides by States.
''(1) Definitions.
''(2) Authority to register Canadian pesticides.
''(3) Requirements for registration sought by person.
''(4) State requirements for registration.
''(5) Disapproval of registration by Administrator.
''(6) Labeling of Canadian pesticides.
''(7) Revocation.
''(8) Suspension of State authority to register Canadian pesticides.
''(9) Limits on liability.
''(10) Disclosure of information by Administrator to the State.
''(11) Provision of information by registrants of comparable domestic pesticides.
''(12) Penalty for disclosure by State.
''(13) Data compensation.
''(14) Formulation changes.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect 180 days after the date of enactment of this Act.

Mr. BURNS. Mr. President, I rise today to express my support of the Pesticide Harmonization Act. Last year, Senator DORGAN attempted to address this problem in the VA/HUD Appropriations Conference. I committed myself to work with him and move this legislation this year. I am a cosponsor of this bill because of this commitment and to even out a serious trade imbalance facing the agriculture industry in our country.

In my home State of Montana and many other western and mid-western States, we have faced a number of trade disputes between Canada and the United States. One of the most glaring discrepancies deals with pesticides. Chemicals that are sold for one price just across the border in Canada are sold at a considerably higher cost to American producers. Why does this happen you may ask? The EPA places strong regulations on chemicals used in the United States and therefore, the chemical companies believe they should hike up the prices to pay for their trouble.

The chemicals in Canada and the United States, in most cases, have the exact same chemical make-up. The same company manufactures them, but often gives them a different name and nearly always prices the American chemicals higher. The crops treated with chemicals our farmers are not allowed to use are easily imported into the United States. These crops were developed at a lower production cost and are now competing with American products. I am a strong believer in fair trade, but for free trade to actually occur, this problem must be addressed.

Currently, American farmers are facing a serious economic recession. Prices are the lowest they have been in a number of years and there does not appear to be a light at the end of the tunnel. Additionally, the West is looking at yet another year of severe drought. Already, snow packs are considerably below normal. Also, fertilizer costs are sky-rocketing with the high cost of fuel and energy. Compounding their problem is being forced to pay twice as much for nearly the same chemicals as their foreign neighbors.

If enacted, this bill would eliminate current obstacles and even the playing field for our farmers. It would allow States or individual producers to seek a registration for a Canadian pesticide. This could only be done if, upon request by the State, the pesticide is found to be identical or substantially similar to the U.S. pesticide. The EPA still has final authority to disapprove the registrations within 90 days. Once the pesticide is found to be the same or similar and the EPA approves, the State or individual can travel to Canada and purchase the chemical.

Our farmers and ranchers have been paying too much for their pesticides and chemicals for too long. From my years as a football referee, I learned everyone needs to follow the same rules to play the game. We need to make sure Canadian farmers and U.S. farmers are playing under the same rules. I

believe this bill makes that happen. I look forward to working with my colleagues on this crucial issue to America's farmers and ranchers.

By Mr. CAMPBELL:

S. 534. A bill to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States; to the Committee on Governmental Affairs.

Mr. CAMPBELL. Mr. President, today I introduce the Mad Cow Prevention Act of 2001 which would help ease the American consumer's growing concern about our food supply. We can no longer take for granted that our food supply will not be tainted by bovine spongiform encephalopathy, BSE, commonly known as Mad Cow Disease, which has infected over 175,000 cattle in Great Britain and Europe. We also should be concerned about the growing threat of foot-and-mouth disease and other associated diseases to America's meat supply.

The bill I introduce today establishes a Federal Interagency Task Force, to be chaired by the Secretary of Agriculture, for the purpose of coordinating actions to prevent the outbreak of Mad Cow Disease. The agencies will include the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health and Human Service, the Secretary of Treasury, the Commissioner of the Food and Drug Administration, the Director of the National Institutes of Health, the Director of the Centers for Disease Control, the Commissioner of Customs, and any other agencies the President deems appropriate.

No later than 60 days after the enactment of this legislation the task force will submit to Congress a report which will describe the actions the agencies are taking and plan to take to prevent the spread of BSE and make recommendations for the future prevention of the spread of this disease to the United Sates. The Task Force should also consider and report on foot-and-mouth disease, chronic wasting disease and other diseases associated with our meat industries.

Recently, a situation developed in Texas prompting the quarantine of over a 1000 head of cattle. The animals were quickly purchased and taken out of the food chain by Purina. But, this incident shows how easily a contamination may start. It also has raised questions on how this disease can be controlled.

In order to address this problem, on February 9, 2001, I wrote to Secretary Veneman and requested a report from the USDA regarding our government's response to mad cow disease specifically addressing: what USDA is doing to address this problem; what other federal agencies are doing; what any future plans are; and how USDA proposes to prevent the introduction and spread of mad cow disease in the United States.

However, since I sent my letter to the USDA Secretary, the situation in Europe has gone from bad to worse. Therefore, I believe a government-wide approach is now necessary and that is why I am introducing this bill today. We simply must act quickly.

Currently, our nation's farmers and ranchers are benefitting from profitable good cattle prices, and our meat supply is safe. But, as a Western Senator from a state with a significant cattle industry that trades in the international market, I share the growing fears of constituents about the potential devastating impact mad cow disease would have if it spreads to and within the United States. The emerging potential for mad cow disease in the United States would also raise devastating health implications for humans. We cannot, in good conscience, take a chance that would allow an outbreak to occur in the U.S. which would destroy America's cattle industry and devastate consumers' confidence in our food supply.

In my home state of Colorado alone there are more than 3.15 million head of cattle and more than 12,000 beef producers. Nationwide, Colorado ranks 4th in cattle on feed and 10th in overall cattle numbers. Nearly one-third of Colorado counties are classified as either economically dependent on the cattle industry or a vital role in their economies. It is critical that we in Congress do everything we can to protect this industry in Colorado and across the country.

Over the past two months, there has been a series of news reports which highlight the spread of Mad Cow in Europe. Newsweek ran a cover story, ABC aired a provocative story and countless other reports have shown the potential situation we could face. And, today, the crisis surrounding foot-and-mouth disease is on the front page of our major newspapers. With the focus shifting to the United States, consumers are becoming wary and growing more concerned about the potential of the spread of the disease to our shores.

The Mad Cow Prevention Act of 2001 I introduce today is a necessary step towards addressing the potential disaster of this disease in our country. I urge my colleagues to support its speedy passage.

I ask unanimous consent that recent news clips, and the text of the bill be printed in the RECORD.

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

S. 534

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mad Cow Prevention Act of 2001''.

SEC. 2. INTERAGENCY TASK FORCE.

(a) IN GENERAL.—There is established a Federal interagency task force, to be chaired by the Secretary of Agriculture, for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease''), foot-and-mouth disease and related diseases in the United States.

(b) MEMBERSHIP.—The membership of the task force shall be composed of—

(1) the Secretary of Agriculture;

(2) the Secretary of Commerce;

(3) the Secretary of Health and Human Services;

(4) the Secretary of the Treasury;

(5) the Commissioner of Food and Drug;

(6) the Director of the National Institutes of Health;

(7) the Director of the Centers for Disease Control and Prevention;

(8) the Commissioner of Customs; and

(9) the heads of such other Federal departments and agencies as the President considers appropriate.

(c) REPORT.—Not later than 60 days after the date of enactment of this Act, the task force shall submit to Congress a report that—

(1) describes actions that are being taken, and will be taken, to prevent the outbreak of bovine spongiform encephalopathy, foot-and-mouth disease and related diseases in the United States; and

(2) contains any recommendations for legislative and regulatory actions that should be taken to prevent the outbreak of bovine spongiform encephalopathy, foot-and-mouth disease and related diseases in the United States.

[From ABCNEW.com: ''20.20'' Feature, Mar. 3, 2001]

COULD MAD COW REACH AMERICA?

SOME SCIENTISTS WORRY THE U.S. IS NOT TAKING PROTECTIVE MEASURES

Across Europe, hundreds of thousands of cows and bulls suspected of having mad cow disease have been ground up and stored in huge mounds in airplane hangars—still infected and dangerous to humans. Others are being incinerated but the ashes themselves are contaminated.

Michael Hansen, of the consumer advocacy group the Consumers Union, says the infectious strain is ''virtually indestructible . . . it defies all of our thinking about what living things are and how they should act.''

No cases of mad cow disease have been found yet in the United States, but some say America is not in the clear.

POSSIBLE THREAT IN UNITED STATES

Professor Richard Lacey is one of the leading experts on mad cow disease and was one of the first to sound the alarm in Britain. He says America needs to be very much on the alert. ''It is just possible that there is no mad cow disease in the U.S.A., but I believe it's more likely there is, but not detected yet,'' he says.

Lacey, a microbiologist at Leeds University in England, was perhaps the most outspoken scientist to warn British authorities that human could contract bovine spongiform encephalopathy by eating infected beef. The warning was largely ignored and dismissed as scientifically impossible until five years ago when people began to die.

Victims of the degenerative brain disease lose their motor skills and slowly waste away. There is no vaccine and no treatment, which is why Lacey is concerned that the United States isn't doing all it could to protect itself.

The U.S. banned British beef and cattle products in 1989 and the American beef industry has taken additional precautions. The head of the National Cattleman's Beef Association, Chuck Shroeder, says that along

with federal regulators, his group has actually gone through mock drills to prepare for the discovery of mad cow disease. Containment procedures have been planned and a full-scale public relations campaign is ready to go. ''We're not just whistling on our way past the graveyard on this,'' he says.

Shroeder is confident that necessary measures have been taken and protections in place. ''If the disease were ever discovered here, we could number one, identify it, number two contain it, and number three, eliminate it as quickly as possible.'' The government reports that its inspectors have yet to find a single cow with mad cow disease in the U.S.

FEEDING CATTLE TO CATTLE

How was mad cow disease able to spread from cow to cow in England and elsewhere in Europe?

A key reason, Lacey says, was the practice of including group-up remnants of cattle in cattle feed. This practice was widespread in Europe and, to a lesser extent, the United States.

Lacey refers to this as a kind of forced animal cannibalism.

When mad cow disease broke out, the practice of feeding cattle back to cattle was stopped in England, but it continued in the United States until four years ago. And Hansen says other potentially dangerous feeding practices now banned in the U.K. continue in the United States today.

It remains legal in the United States, for example, to ''grind up cattle, feed them to pigs, and then grind up the pigs and feed them to the cows,'' says Hansen. Lacey calls this a ''real danger,'' that ''must be stopped immediately.''

But government and industry officials say there's no reason to follow Europe in banning the practice, because there's no evidence to date that the disease can spread between pigs and cattle.

Lacey says nevertheless the United States should adopt the same ban as a precaution: ''My advice to the U.S. authorities is to simply ban the incorporation of animal remains in animal feed.''

But Shroeder defends U.S. practices. ''We have been driven here by the best science that we can access, we have protected the U.S. beef supply very, very carefully,'' he says.

CHRONIC WASTING DISEASE: A DIFFERENT STRAIN?

There's another concern no so easily answered. There is growing concern about a possible American version of mad cow disease showing up in deer and elk in the West. It is called chronic wasting disease and some suspect it has already claimed human lives.

Hansen says this chronic wasting disease is dangerously similar to mad cow disease. ''It's a different strain of the disease and it appears to be spreading in the wild,'' he says.

Tracie McEwen believes her 30-year-old husband Doug, who ate elk all his life, may have been a victim. He died of a rare brain disorder normally only seen in people older than 55, with symptoms remarkably similar to those who died the slow, agonizing death of mad cow disease in England.

The death of Tracie McEwen's husband and that of two others under the age of 30 have raised questions for health officials concerned about the similarity to mad cow disease.

Lacey thinks the ''link between eating deer and getting a type of mad cow disease is very plausible,'' and it's one more reason that American authorities shouldn't think they have all the answers about the disease. He says, ''you have to act on the assumption that the disease may well be there, because if you wait until you know it's there, then it's too late.''

Meanwhile, some members of Congress have asked for an investigation into whether the government should be taking additional steps to protect against the spread of mad cow disease should it arrive in this country.

[From Newsweek, Mar. 12, 2001]

CANNIBALS TO COWS: THE PATH OF A DEADLY DISEASE

(By Geoffrey Cowley)

Health officials say they've got Mad Cow under control, but millions of unaware people may be infected. Why it could still turn into an epidemic.

Peter Stent was a seasoned dairyman, but he had never seen anything like this. Just before Christmas, in 1984, one of his cows at Pitsham Farm in South Downs, England, started shedding weight, losing its balance and acting as skittish as a cat.

When the vet came to investigate, the animal was acting completely crazy—drooling, arching its back, waving its head, threatening its peers. And by the time it died six weeks later, Stent was seeing the same symptoms in other cows. Nine were soon dead, and no one could explain why. The vet dubbed the strange malady Pitsham Farm syndrome, since it didn't seem to exist anywhere else. Little did he know.

Alison Williams was 20 years old at the time, and living in the coastal village of Caernarfon, in north Wales. She was bright and outgoing, a business student who loved to sail and swim in the nearby mountain lakes. but her personality changed suddenly when she was 22. She lost interest in other people, her father recalls, and quit school to live at home with her parents and her brother. She still enjoyed the outdoors, but she took to sitting alone on her bed, staring out the window for hours at a time. By 1992, Alison was having what her doctors diagnosed as nervous breakdowns, and by 1995 she had grown paranoid and incontinent. ''A month before she died, she went blind and lost use of her tongue,'' her dad recalls. ''She spent her last five days in a coma.''

SOMETHING BIGGER?

Anyone with a television has heard such stories, maybe even sussed out the connection between them. Mad-cow disease, or bovine spongiform encephalopathy (BSE), has killed nearly 200,000 British and European cattle since it cropped up on Pitsham Farm. The human variant that Alison Williams contracted has claimed 94 lives as well. What few of us realize is that these tolls could mark the beginning of something vastly bigger. No one knows just how BSE first emerged. But once a few cattle contracted it, 20th-century farming practices guaranteed that millions more would follow. For 11 years following the Pitsham Farm episode, British exporters shipped the remains of BSE-infected cows all over the world, as cattle feed. The potentially tainted gruel reached more than 80 countries. And millions of people—not only in Europe but throughout Russia and Southeast Asia—have eaten cattle that were raised on it.

It's possible, of course, that the worst is already behind us. After dithering for a decade, governments in the United Kingdom and Europe have lately taken bold steps to control BSE. The number of bovine cases is now falling in Britain—and the United States has yet to even report one. American officials banned British cattle feed in 1988, as soon as scientists implicated it in BSE, and later barred the recycling of domestic cows as well. The U.S. government, the cattle industry and many experts now voice confidence in the nation's fire wall and say the risk to consumers is slight. In truth, however, America's safeguards and surveillance efforts are far weaker than most people realize. And in many of the developing countries that now face the greatest risk, such efforts are nonexistent. How many of the world's cattle are now silently incubating BSE? How many people are contracting it? The truth is, we don't know. ''We have no idea how many deaths we're going to seek in the coming years,'' says Dr. Frederic Saldmann, a French physician who has recently seen both cows and people stricken in his country. ''We've been checkmated.''

Mad cow is the creepiest in a family of disorders that can make Ebola look like chickenpox. Scientists are only beginning to understand these afflictions. Known as transmissible spongiform encephalopathies, or TSEs, they arise spontaneously in species as varied as sheep, cattle, mink, deer and people. And once they take hold they can spread. Some TSEs stick to a single species, while others ignore such boundaries. But each of them is fatal and untreatable, and they all ravage the brain—usually after long latency periods—causing symptoms that can range from dementia to psychosis and paralysis. If the prevailing theory is right, they're caused not by germs but by ''prions''—normal protein molecules that become infectious when folded into abnormal shapes. Prions are invisible to the immune system, yet tough enough to survive harsh solvents and extreme temperatures. You can freeze them, boil them, soak them in formaldehyde or carbolic acid or chloroform, and most will emerge no less deadly than they were.

[From the Washington Post, Mar. 14, 2001]

U.S. ADDS TO BAN ON EUROPEAN MEATS—FOOT-AND-MOUTH EPIDEMIC IS CITED

(By David Brown)

The Agriculture Department yesterday banned importation of most pork and goat products from the 15 European Union countries to protect American livestock from an epidemic of foot-and-mouth disease causing panic overseas.

Canada instituted a similar ban yesterday in an effort to keep the highly contagious animal disease out of North America. Foot-and-mouth does not spread to human beings, but can kill or severely sicken animals. The disease was last seen in the United States in 1929, and in Canada in 1952.

An epidemic of the disease broke out in England last month and French officials confirmed yesterday that it had found foot-and-mouth in a herd of cattle in the nation's northwest region. It was the first detection of the viral infection in the country since 1981 and the first case on the continent since the British outbreak began.

While the economic impact of the U.S. ban is relatively small, the move illustrates the level of concern about this pathogen in particular, and the ease of spread of infectious diseases across national boundaries in general.

The ban will cover about $294 million worth of meat products and about $1 million in live animals. The vast majority of the meat is pork from Denmark and other Scandinavian countries.

Certain dairy products, such as hard cheeses and yogurt, will not be covered by the ban. Canned hams also will not be affected by the ban. Importation of horses will be permitted.

''This temporary ban is in place for USDA to take time to assess our exclusion efforts as a precaution to ensure that we do not get'' foot-and-mouth disease in the United States, said department spokeswoman Meghan Thomas.

A spokeswoman for the European Commission expressed surprise at yesterday's announcement, saying the organization learned

of it from reporters. ''We've had no formal prior notification,'' said Maeve O'Beirne. ''We don't know what the definitive list [of banned products] O'Beirne. ''We don't know what the definitive list [of banned products] will be. This is, hopefully, a temporary measure.''

The value of the products is small compared to total meat imports to the United States, although not trivial. Total pork imports from all countries last year totaled slightly more than $1 billion in value. Beef and veal imports from all sources in 1999 were worth $2.1 billion.

This latest move almost eliminates nonfish meat imports from Europe. Beef imports from Britain were banned in 1989 as protection against bovine spongiform encephalopathy, also known as ''mad cow disease.'' Beef and sheep products have also been banned from other European countries.

Nicholas D. Giordano, international trade specialist with the National Pork Producers Council, said the pork imported from Europe consists mostly of ribs produced in Denmark. The United States is a net exporter of pork, and European imports equal about 1 percent of U.S. pork production, he said.

Non-meat products covered by the new ban consist mostly of purebred pigs and pig seman, an Agriculture Department official said.

The ban was also praised by Sen. Tom Harkin (D–Iowa), a member of the Senate Agriculture Committee from a large pork-producing state.

''If [the disease] were to return to America, the results would be absolutely devastating,'' he said in a statement. ''USDA is taking the right step in temporarily banning imports . . . Right now we just don't know how far this disease has spread. It is common sense to take protective measures.''

Although horses can still be brought from Europe to the United States, they must be cleaned and disinfected, along with any equipment that accompanies them, said Thomas, the USDA spokeswoman. Straw and manure are burned.

Agriculture officials have alerted airports and ports of entry to more closely inspect travelers from Europe for products that might possibly carry the foot-and-mouth virus. Food-sniffing dogs are being used in some places. The virus can persist in feed and environmental surfaces for weeks, and people reporting visits to farms or contact with livestock must have any footwear disinfected.

French Agriculture Minister Jean Glavany yesterday announced that the disease had been found among cattle on a farm in Mayenne, between Paris and the Atlantic coast. The disease was evidently carried by sheep imported from Britain to a nearby farm, and then spread to the Mayenne cows.

In Britain, more than 120,000 carcasses have been burned because of the disease, the Agriculture Ministry said, with another 50,000 due for destruction. Separate cases have broken out at more than 200 farms and sluaghterhouses.

France has burned some 20,000 sheep that were imported from Britain before the outbreak was known, and another 30,000 homegrown animals that might have been exposed. Most other European countries have also burned animals imported from Britain. Now, they will presumably burn any recent imports from France as well—as some parts of Germany started doing yesterday.

The basic approach is to kill and burn any animal that may have been exposed to the disease. The animals are lined up, shot, and then piled around gasoline-stacked timbers for burning. Farms where even a single case was suspected now have no animals left—and thus no source of income. Governments are now gearing up large-scale compensation programs.

[From the New York Times, Mar. 14, 2001]

MEAT FROM EUROPE IS BANNED BY U.S. AS ILLNESS SPREADS

(By Christopher Marquis and Donald G. McNeil Jr.)

WASHINGTON, March 13.—The United States banned imports of animals and animal products from the European Union today after learning that foot-and-mouth disease had spread to France from Britain.

The Agriculture Department said it was taking the precaution to protect the domestic industry from a possible outbreak of the virus, which could cost the American industry billions of dollars in just one year.

The virus poses little danger to people, even if they eat the meat of infected animals. But it is virulently contagious and is devastating for cattle, swine, sheep, deer and other cloven-hoofed animals, which it generally debilitates and often leaves unable to grow or produce milk.

The ban, which applies to exports from all 15 countries of the European Union, prompted some European officials to complain that the Bush administration was overreacting.

But three members of the European Union—Belgium, Portugal and Spain—are closing their borders to French meat, as is Switzerland. Norway banned imports of French farm products, and Germany and Italy took protective measures. Canada also banned meat imports from the European Union, as well as from Argentina, which has found foot-and-mouth disease in the northwest. Argentina said it would voluntarily restrict beef exports.

Kimberley Smith, a spokeswoman for the Agriculture Department, said many items including most cheeses and cured or cooked meats, are not affected because they are heated in a way that kills the virus.

The ban is expected to hit pork producers the most. European beef is already banned by the United States because of mad cow disease, which can cause fatal Creutzfeldt-Jakob disease in humans.

The Agriculture Department is ''taking this time to assess our exclusion activities as a precaution to ensure that we don't get foot-and-mouth disease in the United States,'' Ms. Smith said. She said the department could not say how long the ban would last.

Department officials did not detail which European products would be subject to the ban. But they said it would prohibit the importation of live swine, pork and meat from sheep and goats, regardless of whether it is fresh or frozen. Yogurt and most cheeses would be permitted, they said, because those sold in the United States are made from pasteurized milk.

Canned ham or any other food products that have been heated above 175 degrees Fahrenheit are permitted because such processing inactivates the virus, the officials said.

The production of such favored items as French brie and Italian prosciutto is closely monitored to meet stringent export standards, she said, so they are not affected by today's ban. Brie entering the United States is made from pasteurized milk and is considered safe.

A spokesman for the European Commission in Washington, Gerry Kiely, said the ban would cost European exporters as much as $458 million a year in sales. The agriculture department put the cost at $400 million at most.

Earlier today French officials confirmed that foot-and-mouth disease was found among cattle at a dairy farm in Laval, in northwestern France. Officials said farmers in the area had imported sheep from Britain, which is at the center of the current outbreak and has already slaughtered about 170,000 animals to contain the disease.

The disease, which is so infectious that it can be spread by footwear and cars, appeared in France despite tight precautions. The infected dairy farm, near La Baroche-Gondouin in the Mayenne district, was inside an isolation zone.

By Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. DASCHLE, Mr. BAUCUS, Mrs. CLINTON, Mr. DOMENICI, Mr. FEINGOLD, Mr. KENNEDY, Mr. JOHNSON, Mrs. MURRAY, Ms. STABENOW, and Mr. WELLSTONE):

S. 535. A bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000; to the Committee on Indian Affairs.

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation with 11 original cosponsors, including Senators MCCAIN and DASCHLE, entitled the ''Native American Breast and Cervical Cancer Treatment Technical Amendment Act of 2001.'' The legislation makes a simple, yet important, technical change to the ''Breast and Cervical Cancer Treatment and Prevention Act'' by correcting a provision of last year's bill to ensure the coverage of breast and cervical cancer treatment for Native American women.

The National Breast and Cervical Cancer Early Detection Program, funded through the Centers for Disease Control and Prevention, CDC, supports screening activities in all 50 states and through 15 American Indian/Alaska Native organizations. However, the CDC program provides funding only for screening services and not for treatment.

Last year's bill, which passed the Senate by unanimous consent and had 76 cosponsors, gives states the option to extend Medicaid treatment coverage to certain women who have been screened by programs operated under the National Breast and Cervical Cancer Early Detection Program and diagnosed as having breast or cervical cancer. Through passage of the ''Breast and Cervical Cancer Treatment and Prevention Act,'' for those women not otherwise eligible for Medicaid, States may elect to expand their Medicaid programs to provide breast and cervical cancer treatment as an optional benefit and receive an enhanced federal match to encourage participation.

Last year's legislation restricts Medicaid treatment coverage to those who have no ''creditable coverage'' or treatment options. Unfortunately, the term ''creditable coverage'' is defined under

the Act to include the Indian Health Service, IHS. In short, the reference to IHS in the law effectively excludes Indian women from receiving Medicaid breast and cervical cancer treatment, as provided for under last year's bill, regardless of whether a State chooses to provide that coverage. Not only does the definition deny coverage to Native American women, but the provision runs counter to the general Medicaid rule treating IHS facilities as full Medicaid providers. My legislation corrects these issues.

During 2001, almost 50,000 women are expected to die from breast or cervical cancer in the United States despite the fact that early detection and treatment of these diseases could substantially decrease this mortality. While passage of last year's bill makes significant strides to address this problem, it fails to do so for Native American women and that must be changed as soon as possible.

In support of Native American women across this country that are being diagnosed through CDC screening activities as having breast or cervical cancer, my legislation would assure that they can also access much needed treatment through the Medicaid program. I urge its immediate adoption.

I request unanimous consent that the text of the bill be printed in the RECORD.

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

S. 535

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Breast and Cervical Cancer Treatment Technical Amendment Act of 2001''.

SEC. 2. CLARIFICATION OF INCLUSION OF INDIAN WOMEN WITH BREAST OR CERVICAL CANCER IN OPTIONAL MEDICAID ELIGIBILITY CATEGORY.

(a) TECHNICAL AMENDMENT.—The subsection (aa) of section 1902 of the Social Security Act (42 U.S.C. 1396a) added by section 2(a)(2) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Public Law 106–354; 114 Stat. 1381) is amended in paragraph (4) by inserting '', but applied without regard to paragraph (1)(F) of such section'' before the period at the end.

(b) BIPA TECHNICAL AMENDMENTS.—

(1) Section 1902 of the Social Security Act (42 U.S.C. 1396a), as amended by section 702(b) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), is amended by redesignating the subsection (aa) added by such section as subsection (bb).

(2) Section 1902(a)(15) of the Social Security Act (42 U.S.C. 1396a(a)(15)), as added by section 702(a)(2) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as so enacted into law), is amended by striking ''subsection (aa)'' and inserting ''subsection (bb)''.

(3) Section 1915(b) of the Social Security Act (42 U.S.C. 1396n(b)), as amended by section 702(c)(2) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as so enacted into law), is amended by striking ''1902(aa)'' and inserting ''1902(bb)''.

(c) EFFECTIVE DATES.—

(1) BCCPTA TECHNICAL AMENDMENT.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Public Law 106–354; 114 Stat. 1381).

(2) BIPA TECHNICAL AMENDMENTS.—The amendments made by subsection (b) shall take effect as if included in the enactment of section 702 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554).

By Mr. SHELBY:

S. 536. A bill to amend the Gramm-Leach-Bliley Act to provide for a limitation on sharing of marketing and behavioral profiling information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SHELBY. Mr. President, I rise today to introduce the ''Freedom from Behavioral Profiling Act of 2001.'' This legislation would require financial institutions to provide proper notice and obtain permission from a consumer before they could buy, sell or otherwise share an individual's behavioral profile.

Everyone recognizes the importance of insuring the accuracy and security of credit and debit card transactions. Without basic safety features, consumers would avoid non-cash transactions and our economy would greatly suffer as a result. However, financial institutions have taken their data gathering efforts far beyond what is necessary to protect consumers from fraud, inaccurate billing and theft. Companies are using transactional records generated by debit and credit card use and are developing detailed consumer profiles. From these files they know the food you eat, the drugs you must take, the places you go, and the books you read, as well as every other thing about you that can be gleaned from your buying habits.

Troubling as it is that financial institutions are assembling such profiles, I find it even more worrisome that these companies are selling and trading these intimate details without consumer knowledge or consent. In as much, ''your'' sensitive personal information has become a commodity bought and sold like some latter day widget. I believe the American people have the right to be informed of these activities and should have the option to decide for themselves whether or not their personal information is shared or sold.

I find it quite ironic that the very institutions that work so hard to secure sensitive corporate information are the same companies that work so hard to exploit the personal information of consumers. Unfortunately, it would seem that corporate America has decided that the ''Golden Rule'' is not applicable in the Information Age.

The American people are only now becoming aware of the behavioral profiling practices of the industry. The more they find out, the more they do not like it. That is why I am offering this legislation, to give the consumer the ability to control his or her most personal behavioral profile. Where they go, who they see, what they buy and when they do it, all of these are personal decisions that the majority of Americans do not want monitored and recorded under the watchful eye of corporate America.

Colleagues in the Senate, I hope you will join me in an effort to give the people what they want, the ability to control the indiscriminate sharing of their own personal, and private, consumption habits.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 60—URGING THE IMMEDIATE RELEASE OF KOSOVAR ALBANIANS WRONGFULLY IMPRISONED IN SERBIA, AND FOR OTHER PURPOSES

Mr. SMITH of Oregon submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 60

Whereas the Military-Technical Agreement Between the International Security Force (''KFOR'') and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia (concluded June 9, 1999) ended the war in Kosovo;

Whereas in June 1999, the armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) (in this resolution referred to as the ''FRY'') and the police units of Serbia, as they withdrew from Kosovo, transferred approximately 1,900 ethnic Albanians between the ages of 13 and 73 from prisons in Kosovo to Serbian prisons;

Whereas some ethnic Albanian prisoners that were tried in Serbia were convicted on false charges of terrorism, as in the case of Dr. Flora Brovina;

Whereas the Serbian prison directors at Pozarevac prison stated that of 600 ethnic Albanian prisoners that arrived in June 1999, 530 had no court documentation of any kind;

Whereas 640 of the imprisoned Kosovar Albanians were released after being formally indicted and sentenced to terms that matched the time already spent in prison;

Whereas representatives of the FRY government received thousands of dollars in ransom payments from Albanian families for the release of prisoners;

Whereas the payment for the release of a Kosovar Albanian from a Serbian prison varied from $4,300 to $24,000, depending on their social prestige;

Whereas Kosovar Albanian lawyers, including Husnija Bitice and Teki Bokshi, who are fighting for fair trials of the imprisoned have been severely beaten;

Whereas approximately 600 Kosovar Albanians remain imprisoned by government authorities in Serbia;

Whereas the Geneva Conventions of August 12, 1949, and their protocols give the international community legal authority to press for, in every way possible, the immediate release of political prisoners detained during a period of armed conflict;

Whereas, on July 16, 1999, the United Nations Mission in Kosovo (UNMIK) Special Representative to the Secretary General, Bernard Kouchner, formed an UNMIK commission on prisoners and missing persons for the purpose of advocating the immediate release of prisoners in four categories: sick, wounded, children, and women;