

S. 706

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 706, a bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 731

At the request of Mr. NELSON of Florida, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 731, a bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the Uniformed and Overseas Citizens absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes.

S. 778

At the request of Mr. HAGEL, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 778, a bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

S. 804

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 804, a bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to required fuel economy standards for automobiles up to 10,000 pounds gross vehicle weight; to raise the fuel economy of the Federal fleet of vehicles, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 827, a bill to amend the Social Security Act to guarantee comprehensive health care coverage for all children born after 2001.

S. 836

At the request of Mr. CRAIG, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 836, a bill to amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

S. 847

At the request of Mr. DAYTON, the names of the Senator from South Da-

kota (Mr. JOHNSON), the Senator from North Carolina (Mr. EDWARDS), and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 847, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 859

At the request of Mr. THOMAS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 859, a bill to amend the Public Health Service Act to establish a mental health community education program, and for other purposes.

S. 871

At the request of Mr. CLELAND, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 871, a bill to amend chapter 83 of title 5, United States Code, to provide for the computation of annuities for air traffic controllers in a similar manner as the computation of annuities for law enforcement officers and firefighters.

S. 873

At the request of Mr. HELMS, the names of the Senator from Virginia (Mr. ALLEN) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 873, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 913

At the request of Ms. SNOWE, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 969

At the request of Mr. DODD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 969, a bill to establish a Tick-Borne Disorders Advisory Committee, and for other purposes.

S. 992

At the request of Mr. CONRAD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 992, a bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policy holder dividends of mutual life insurance companies and to repeal the policyholders surplus account provisions.

S. 1022

At the request of Mr. WARNER, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1067

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee

(Mr. FRIST) was added as a cosponsor of S. 1067, a bill to amend the Internal Revenue Code of 1986 to expand the availability of Archer medical savings accounts.

S. RES. 71

At the request of Mr. HARKIN, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

S. CON. RES. 24

At the request of Mr. LIEBERMAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Con. Res. 24, a concurrent resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month.

AMENDMENT NO. 810

At the request of Mr. ENZI, his name was added as a cosponsor of amendment No. 810 proposed to S. 1052, a bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage.

At the request of Mr. BUNNING, his name was added as a cosponsor of amendment No. 810 proposed to S. 1052, *supra*.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SMITH of Oregon (for himself and Mr. BINGAMAN):

S. 1098. A bill to amend the Food Stamp Act of 1977 to improve food stamp informational activities in those States with the greatest rate of hunger; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SMITH of Oregon. Mr. President, I rise today to introduce the State Hunger Assistance in Response to Emergency or SHARE Act of 2001. I introduce this bill because it is a tragedy, that in this land of plenty, people across America go to bed hungry. It is high time that Congress do something to combat this tragedy.

Over the past few years, my home State of Oregon has seen an unprecedented economic boom—as has much of the country. Our silicon forest has grown by leaps and bounds; unemployment has dropped, and our welfare rolls have been reduced by half. But this prosperity has not reached all Oregonians. Oregon has the appalling distinction of having the highest rate of hunger in the nation, according to the USDA. That means that per capita, more people in Oregon go without meals than in any other State. I think that it may surprise some of my colleagues to learn that many of their home States suffer from severe hunger problems as well.

Perhaps the most tragic aspect of America's hunger problem is that it can be prevented. Federal programs,

like Food Stamps and WIC, can help families fill the gap between the size of their food bill and the size of their paycheck, but too many people don't know that they qualify for the help available to them through these programs. This is especially true in the rural areas of Oregon, which is also home to most of my State's hungry citizens. Help exists for hungry people, and I want to make sure every American knows about the resources the Federal Government has already made available to them.

The Food Stamp Act of 1977 authorized the Secretary of Agriculture to provide states with up to 50 percent of the costs of informational activities related to program outreach; however, because the remaining 50 percent of the funds for these limited outreach activities must be supplied by the State, most States do not participate.

To ensure that more Oregonians and hungry people across the country take advantage of the resources available to them, the SHARE Act will provide additional funds to the 10 hungriest states, as named by the USDA, to help those in need learn about and sign up for federal food assistance programs. The SHARE bill authorizes the Secretary of Agriculture to make grants of up to \$1 million to these states for 3 years. States can use these flexible funds for outreach—anything from distributing informational flyers at community health clinics to funding staff to help people fill out application forms. In addition, the bill will allow the Secretary of Agriculture to make grants available to States with particularly innovative outreach demonstration projects, so that we can find the best ways to combat hunger.

In a country as blessed with abundance as ours, no family should go hungry simply because they lack the information they need to get help. When passed, the SHARE Act will give Oregon and other states an opportunity to devise new and innovative programs that will allow the needy in our states to get the help they so desperately need. The idea behind this legislation is not very complicated—I simply want to make people aware of the food assistance already available to them—but I believe that this bill is as important as any we will consider in the Senate this year. With the help of my colleagues, we can stem the tide of this very preventable tragedy.

Mr. BINGAMAN. Mr. President, extreme forms of hunger in American households have virtually been eliminated, in part due to the Nation's nutrition-assistance safety net. Less severe forms of food insecurity and hunger, however, are still found within the United States and remain a cause for concern. The Food Stamp Program provides benefits to low-income people to assist with their purchase of foods that will enhance their nutritional status. Food stamp recipients spend their benefits, in the form of paper coupons or electronic benefits on debit cards, to buy eligible food in authorized retail

food stores. Food stamp recipients, or those eligible for food stamps, cross the life cycle. They include individuals of all ages, races and ethnicity in both urban and rural settings.

As a result of the National Nutrition Monitoring and Related Research Act of 1990, the nutritional state of the American people has been closely monitored at State and local levels. We know that food insecurity is a complex, multidimensional phenomenon which varies through a continuum of successive stages as the condition becomes more severe. As the stage of food insecurity and hunger progresses, the number of affected individuals decreases. It is important for us to identify the stages of food insecurity and hunger as early as possible and, thus, continue to avoid the more severe stages of hunger. This means that we will need to focus on a much larger population base with a less dramatic stage of the condition which may be more difficult to identify. Fortunately, current tools to document the extent of food insecurity and hunger caused by income limitations are sensitive and reliable.

We must continue developing tools to document the extent of poor nutrition attributable to factors other than income limitations, like inadequate consumption of fruits and vegetables and overconsumption of sugar, fat, and empty calories. In the meantime, The State Hunger Assistance in Response to Emergency Act of 2001 (SHARE) would take information which is already being collected by the Department of Agriculture and allow the 10 States with the greatest rate of hunger to access funds to perform enhanced outreach activities for the food stamp program.

The goal of the food stamp nutrition education program is to provide educational programs that increase the likelihood of all food stamp recipients making healthy food choices consistent with the most recent dietary advice. States are encouraged to provide nutrition education messages that focus on strengthening and reinforcing the link between food security and a healthy diet. Currently USDA matches the dollars a State is able to spend on its Food Stamp nutrition education program. This nutrition education plan is optional but participation has increased from five State plans in 1992 to 48 State plans in FY 2000.

This bill expands the allowable outreach activities for the States with the worst statistics and would allow up to \$1 million per State with 0 percent match requirement. In exchange for this unmatched money, the State must submit a report that measures the outcomes of food stamp informational activities carried out by the State over the 3 years of the grant. In addition, up to five States with innovative proposals for food stamp outreach could be selected by the Secretary of Agriculture for a demonstration project to receive the same amount of money over 3 years.

I have always been proud to represent my home State of New Mexico in the United States Senate. Unfortunately New Mexico has one of the worst hunger statistics in the nation. I think it is my duty to advocate for the New Mexicans that I represent as well as all Americans who are at risk for experiencing hunger, including those from Oregon, Texas, Arkansas and Washington who share similar statistics.

By Mr. SMITH of Oregon (for himself and Mr. LEAHY):

S. 1099. A bill to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes; to the Committee on the Judiciary.

Mr. SMITH of Oregon. Mr. President, one of the important tasks we have in Congress is to ensure that our laws effectively deter violence and provide protection to those whose careers are dedicated to protecting our families and also our communities.

With this in mind, today I rise to reintroduce the Federal Judiciary Protection Act with my esteemed colleague, Senator LEAHY. This bill will provide greater protection to Federal law enforcement officials and their families. Under current law, a person who assaults, attempts to assault, or who threatens to kidnap or murder a member of the immediate family of a U.S. official, a U.S. judge, or a Federal law enforcement official, is subject to a punishment of a fine or imprisonment of up to 5 years, or both. This legislation seeks to expand these penalties in instances of assault with a weapon and a prior criminal history. In such cases, an individual could face up to 20 years in prison.

This legislation would also strengthen the penalties for individuals who communicate threats through the mail. Currently, individuals who knowingly use the U.S. Postal Service to deliver any communication containing any threat are subject to a fine of up to \$1,000 or imprisonment of up to 5 years. Under this legislation, anyone who communicates a threat could face imprisonment of up to 10 years.

Briefly, I would like to share several examples illustrating the need for this legislation. In my State of Oregon, Chief Judge Michael Hogan and his family were subjected to frightening, threatening phone calls, letters, and messages from an individual who had been convicted of previous crimes in Judge Hogan's courtroom. For months, he and his family lived with the fear that these threats to the lives of his wife and children could become reality, and, equally disturbing, that the individual could be back out on the street again in a matter of a few months, or a few years.

Judge Hogan and his family are not alone. In 1995, Mr. Melvin Lee Davis threatened two judges in Oregon, one judge in Nevada, and the Clerk of the

Court in Oregon. The threat was carried out to the point that the front door of the residence of a Mr. John Cooney was shot up in a drive-by shooting. Unfortunately for Mr. Cooney, he had the same name as one of the Oregon judges who was threatened.

In September 1996, Lawrence County Judge Dominick Motto was stalked, harassed, and subjected to terrorist threats by Milton C. Reiguert, who was upset by a verdict in a case that Judge Motto had heard in his courtroom. After hearing the verdict, Reiguert stated his intention to "point a rifle at his head and get what he wanted."

These are just several examples of vicious acts focused at our Federal law enforcement officials. As a member of the legislative branch, I believe it is our responsibility to provide adequate protection to all Americans who serve to protect the life and liberty of every citizen in this Nation. I encourage my colleagues to join us in sponsoring this important legislation.

Mr. LEAHY. Mr. President, I am pleased to join my friend from Oregon to introduce the Federal Judiciary Protection Act. In the last two Congresses, I was pleased to cosponsor nearly identical legislation introduced by Senator GORDON SMITH, which unanimously passed the Senate Judiciary Committee and the Senate, but was not acted upon by the House of Representatives. I commend the Senator from Oregon for his continued leadership in protecting public servants in our Federal Government.

Our bipartisan legislation would provide greater protection to Federal judges, law enforcement officers, and United States officials and their families. United States officials, under our bill, include the President, Vice President, Cabinet Secretaries, and Members of Congress.

Specifically, our legislation would: increase the maximum prison term for forcible assaults, resistance, opposition, intimidation or interference with a Federal judge, law enforcement officer or United States official from 3 years imprisonment to 8 years; increase the maximum prison term for use of a deadly weapon or infliction of bodily injury against a Federal judge, law enforcement officer or United States official from 10 years imprisonment to 20 years; and increase the maximum prison term for threatening murder or kidnaping of a member of the immediate family of a Federal judge or law enforcement officer from 5 years imprisonment to 10 years. It has the support of the Department of Justice, the United States Judicial Conference, the United States Sentencing Commission and the United States Marshal Service.

It is most troubling that the greatest democracy in the world needs this legislation to protect the hard working men and women who serve in our Federal Government. Just last week, I was saddened to read about death threats

against my colleague from Vermont after his act of conscience in declaring himself an Independent. Senator JEFFORDS received multiple threats against his life, which forced around-the-clock police protection. These unfortunate threats made a difficult time even more difficult for Senator JEFFORDS and his family.

We are seeing more violence and threats of violence against officials of our Federal Government. For example, a courtroom in Urbana, Illinois was firebombed recently, apparently by a disgruntled litigant. This follows the horrible tragedy of the bombing of the federal office building in Oklahoma City in 1995. In my home state during the summer of 1997, a Vermont border patrol officer, John Pfeiffer, was seriously wounded by Carl Drega, during a shootout with Vermont and New Hampshire law enforcement officers in which Drega lost his life. Earlier that day, Drega shot and killed two state troopers and a local judge in New Hampshire. Apparently, Drega was bent on settling a grudge against the judge who had ruled against him in a land dispute.

I had a chance to visit John Pfeiffer in the hospital and met his wife and young daughter. Thankfully, Agent Pfeiffer has returned to work along the Vermont border. As a Federal law enforcement officer, Agent Pfeiffer and his family will receive greater protection under our bill.

There is, of course, no excuse or justification for someone taking the law into their own hands and attacking or threatening a judge, law enforcement officer or U.S. official. Still, the U.S. Marshal Service is concerned with more and more threats of harm to our judges, law enforcement officers and Federal officials.

The extreme rhetoric that some have used in the past to attack the judiciary only feeds into this hysteria. For example, one of the Republican leaders in the House of Representatives was quoted as saying: "The judges need to be intimidated," and if they do not behave, "we're going to go after them in a big way." I know that this official did not intend to encourage violence against any Federal official, but this extreme rhetoric only serves to degrade Federal judges in the eyes of the public.

Let none of us in the Congress contribute to the atmosphere of hate and violence. Let us treat the judicial branch and those who serve within it with the respect that is essential to preserving its public standing.

We have the greatest judicial system in the world, the envy of people around the globe who are struggling for freedom. It is the independence of our third, co-equal branch of government that gives it the ability to act fairly and impartially. It is our judiciary that has for so long protected our fundamental rights and freedoms and served as a necessary check on overreaching by the other two branches,

those more susceptible to the gusts of the political winds of the moment.

We are fortunate to have dedicated women and men throughout the Federal Judiciary and Federal Government in this country who do a tremendous job under difficult circumstances. They are examples of the hard-working public servants that make up the Federal Government, who are too often maligned and unfairly disparaged. It is unfortunate that it takes acts or threats of violence to put a human face on the Federal Judiciary, law enforcement officers or U.S. officials, to remind everyone that these are people with children and parents and cousins and friends. They deserve our respect and our protection.

I thank Senator SMITH for his leadership on protecting our Federal judiciary and other public servants in our Federal Government. I urge my colleagues to support the Federal Judiciary Protection Act.

By Mr. WARNER (for himself and Mr. ALLEN):

S. 1101. A bill to name the engineering and management building at Norfolk Naval Shipyard, Portsmouth, Virginia, after Norman Sisisky; to the Committee on Armed Services.

Mr. WARNER. Mr. President, I rise today to introduce a bill that will redesignate Building 1500 at the Norfolk Naval Shipyard, Portsmouth, Virginia, as the Norman Sisisky Engineering and Management Building. I am joined by my Virginia Senate colleague, GEORGE ALLEN.

As a Navy veteran of World War II, Congressman Sisisky was proud to be a part of one of the most extraordinary chapters in American history, when America was totally united at home in support of our 16 million men and women in uniform on battlefields in Europe and on the high seas in the Pacific, all, at home and abroad, fighting to preserve freedom.

During our 18 years serving together, Congressman Sisisky's goal, our goal, was to provide for the men and women in uniform and their families.

The last 50 years have proven time and again that one of America's greatest investments was the G.I. Bill of Rights, originated during World War II, which enabled service men and women to gain an education such that they could rebuild America's economy. The G.I. Bill was but one of the many benefits that Congressman Sisisky fought for and made a reality for today's soldiers, sailors, airmen, and Marines.

His strength in public life was supported by his wonderful family; his lovely wife Rhoda and four accomplished children. They were always by his side offering their love, support, and counsel.

He worked tirelessly throughout Virginia's 4th District, however, there was always a special bond to the military installations under his charge. As a former sailor, the Norfolk Naval Shipyard was high among his priorities. He

knew the workers by name and the monthly workload in the yard. In consultation with his family and delegation members, we chose this building at the shipyard as a most appropriate memorial to our friend and colleague.

I waited until the special election was concluded so the entire Virginia delegation could join together on this legislation.

Norman Sisisky was always a leader for the delegation on matters of national security. We are honored to join in this bi-partisan effort to remember Congressman Norman Sisisky and his life's work; ensuring the nation's security and the welfare of the men and women in uniform and their families.

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. 1101

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

**SECTION 1. DESIGNATION OF ENGINEERING AND MANAGEMENT BUILDING AT NORFOLK NAVAL SHIPYARD, VIRGINIA, AFTER NORMAN SISISKY.**

The engineering and management building (also known as Building 1500) at Norfolk Naval Shipyard, Portsmouth, Virginia, shall be known as the Norman Sisisky Engineering and Management Building. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Norman Sisisky Engineering and Management Building.

By Mr. CONRAD (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. DASCHLE, Mr. MURKOWSKI, Mrs. LINCOLN, and Mr. KERRY):

S. 1100. A bill to amend the Trade Act of 1974 to provide trade adjustment assistance to farmers; to the Committee on Finance.

Mr. CONRAD. Mr. President, today I am introducing legislation to bring fairness to farmers in an important element of our trade policy. I am very pleased to be joined in this effort by the ranking member of the Finance Committee, Senator GRASSLEY, who has been a true champion of this effort over the past several years.

The legislation we are introducing today would amend the Trade Act of 1974 to make farmers eligible for Trade Adjustment Assistance, TAA, so that they can get assistance similar to that provided to workers in other industries who suffer economic injury as a result of increased imports.

When imports cause layoffs in manufacturing industries, workers become eligible for TAA. Under TAA, a portion of the income these workers lose is restored to them in the form of extended unemployment insurance benefits while they adjust to import competition and seek other employment. When imports of agricultural commodities increase, though, farmers do not lose their jobs. Instead, the increased imports drive down the prices farmers re-

ceive for the crops they have grown. This drop in prices can have an impact that is every bit as devastating to the income of a family farmer as a layoff is to a manufacturing worker. In fact, it can be even more devastating. In many cases, the check that farmers get for all the hard work of growing crops or livestock for the year may not only leave the farmer with no net income, it may not even cover all the input costs associated with producing the commodity, leaving the farmer with thousands of dollars in losses. But, because job loss is a requirement for getting cash assistance under TAA, farmers generally don't get benefits from TAA when imports cause their income to plummet.

Trade is very important to our overall economy, and trade is especially important to our agricultural economy. For example, we export over half the wheat grown in the United States. That is why, historically, agriculture has been among the leading supporters of trade liberalization. However, today many farmers believe their incomes are hurt by free trade, and they have nowhere to turn for assistance when this happens.

Trade Adjustment Assistance for Farmers can not only provide badly needed cash assistance to the devastated agricultural economy, it can re-ignite support for trade among many family farmers. By giving farmers some protection against precipitous income losses from imports, this legislation will strengthen support for trade agreements.

The Conrad-Grassley TAA for Farmers Act would assist farmers who lose income because of imports. Farmers would get a payment to compensate them for some, but not all, of the income they lose if increased imports affect commodity prices.

The eligibility criteria are designed to be analogous to those that apply currently to manufacturing workers. First, just as the Secretary of Labor now decides whether there has been economic injury to workers in a given manufacturing firm by determining whether production has declined and significant layoffs have occurred, the Secretary of Agriculture would decide whether there has been economic injury to producers of a commodity by determining if the price of the commodity had dropped more than 20 percent compared to the average price in the previous five years. Second, just as the Secretary of Labor determines whether imports "contributed importantly" to the layoffs, the Secretary of Agriculture would determine whether imports "contributed importantly" to the commodity price drop.

In order to be eligible for benefits under this program, individual farmers would have to demonstrate that their net farm income had declined from the previous year, and farmers would need to meet with the USDA's extension service to plan how to adjust to the import competition. This adjustment

could take the form of improving the efficiency of the operation or switching to different crops.

Farmers who are eligible for benefits under the program would receive a cash assistance payment equal to half the difference between the national average price for the year (as determined by USDA) and 80 percent of the average price in the previous 5 years (the price trigger level), multiplied by the number of units the farmer had produced, up to a maximum of \$10,000 per year.

In most years, the program would have a modest cost, as few commodities, if any, would be eligible. But in a year when surging imports cause prices to drop precipitously, this program would offer a cash lifeline to give farmers the opportunity to adjust to this import competition. This legislation sends a strong signal to farmers that they will not be left behind in our trade policy, that agriculture must be a priority.

We need to be sure that we don't leave American farmers behind. I hope my colleagues will join me in supporting American family farmers as they compete in the global market place.

By Mr. WELLSTONE:

S. 1102. A bill to strengthen the rights of workers to associate, organize and strike, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. WELLSTONE. Mr. President, I rise today to introduce legislation to strengthen the basic rights of workers to organize and to join a union. This legislation, the "Right-to-Organize Act of 2001," addresses shortcomings in the National Labor Relations Act, NLRA, that, over the years, have eroded the framework of worker empowerment the NLRA was designed to ensure.

The NLRA, also known as the Wagner Act, was enacted to "protect the exercise by workers of full freedom of association, self-organization and designation of representatives of their own choosing for purpose of negotiating the terms and conditions of their employment or other mutual aid or protection." Its proponents envisioned that the commerce of the Nation would be aided by workplaces that respected and empowered workers' voices about the terms and conditions of their own employment. Its proponents envisioned that supporting workers' right to organize would help lay the basic platform for healthy economies, healthy communities, and healthy families.

Grounded in lofty notions of "full freedom of association" and "actual liberty of contract," the promise of the NLRA was a fundamentally democratic one: participatory processes as a way to guarantee basic protections and to give those affected a role in decision-making about issues of paramount concern to them.

That was the promise of the NLRA. Unfortunately, today that promise is far from being realized. Indeed, today

the democratic foundation we have attempted to erect for our workplaces is crumbling beyond recognition.

Today, instead of celebrating the participatory voice of workers, we are faced with the stark reality that in all too many cases, workers who do participate, workers who choose to organize, workers who choose to voice their concerns about the terms and conditions of their workplace live in fear. They live in fear of being harassed, of losing wages and benefits, of being put on leave without pay, and ultimately fear of losing their jobs. In a country that celebrates democracy and freedom, the land of the free, it is unconscionable that hard working men and women can be placed in fear of losing their livelihood because they choose to exercise their legal rights to associate for the purposes of bargaining collectively and participating in decision-making about their own workplaces.

Today, as one organizer told me, all too many times you have to be a hero when you try to organize your own workplace. That's true. The men and women who do this—who step up to take some ownership for what's going on in their own workplaces—are doing heroic work. But that shouldn't have to be the case. That wasn't the promise of democracy and participation—of the associational and liberty of contract values this Nation endorsed in the National Labor Relations Act.

It's urgent that we take action here. Estimates are that 10,000 working Americans lose their jobs illegally every year just for supporting union organizing campaigns. The 1994 Dunlop Commission found that one in four employers illegally fired union activists during organizing campaigns. Estimates are that one out of 10 activists is fired.

This is unacceptable. This is truly one of the most urgent civil rights and human rights issues of the new millennium. Working Americans are harassed, threatened and fired simply for seeking to have a voice and be represented in their workplace. According to the Dunlop Commission, the United States is the only major democratic country in which the choice of whether workers are to be represented by a union is subject to such confrontational processes.

As Chair of the Employment, Safety, and Training Subcommittee with jurisdiction over the National Labor Relations Act, NLRA, I am introducing the "Right-to-Organize Act of 2001" to shore up the crumbling foundation of democracy in the workplace that the NLRA was intended to promote. The Act will target some of the most serious abuses of labor law that unfortunately have become all too common in recent years.

First, employers routinely monopolize the debates leading up to certification elections. They distribute written materials in opposition to collective bargaining. They require workers to attend meetings where they present

their anti-union views. They talk to employees one-on-one about the dire consequences of unionization, such as the possibility that the individual employee or all employees could lose their jobs. All too often, at the same time that this flagrant coercion, intimidation, and interference is taking place often on a daily basis—union organizers are barred from work sites and even public areas.

Second, as noted above, employers too frequently are firing employees and engaging in other unfair labor practices to discourage union organizing and union representation. They are doing this sometimes with near impunity because today's laws simply are not strong enough to discourage them from doing so. As the report, *Unfair Advantage* noted just last year, employers intent on frustrating workers' efforts to organize can, and do, drag out legal proceedings for years, at the end of which they receive a slap on the wrist in the form of back pay to the worker illegally fired and a requirement that they post a written notice promising not to repeat their illegal behavior. "Many employers," according to this report "have come to view remedies, like back pay for workers fired because of union activity as a routine cost of doing business, well worth it to get rid of organizing leaders and derail workers' organizing efforts." We need to put teeth into our ability to enforce the legal rights that are already on the books.

Third, as part of efforts to discourage organizing, employers are able today to drag out election campaigns, giving themselves more time in some cases to harass workers through methods such as those I have described. Their hope may be that the climate of fear and intimidation will encourage workers to vote against the union seeking certification. While just across our border in Canada, elections take place on average within a week of the filing of a petition, here in the United States, it takes on average 80 days between petition and certification. That is an enormous amount of time for workers to live in fear of casting a vote to help empower their voice in the workplace.

Finally, there is a growing problem of employers refusing to bargain with their employees even after a union has been duly certified. Achieving so-called "first contracts" can often be as harrowing as the organizing effort itself.

I want to be clear. Most employers do not take advantage of their workers in this way. Indeed, in tens of thousands of workplaces across the country, employers are working together with employees and their unions, to create safe, healthy, productive, and rewarding work environments. I applaud the efforts these employers and workers are making.

Unfortunately, however, this is not universally the case. All too frequently employers are disempowering workers and undermining their rights to orga-

nize, join, and belong to a union. That is why, that I say this is one of the most urgent civil and human rights issues of the new millennium. Civil rights and human rights is fundamentally about protecting the dignity and well-being of the less empowered against excesses of the more powerful. Nothing could be more important to protecting workers' rights to advocate for themselves and their families than securing a meaningful right to organize.

The Right-to-Organize Act of 2001 is a first step in tackling some of the most serious barriers to workers' ability to unionize. In particular, the Act would do the following:

First, it would amend the National Labor Relations Act to provide equal time to labor organizations to provide information about union representation. Under this proposal the employer would trigger the equal time provision by expressing opinions on union representation during work hours or at the work site. Once the triggering actions occur, then the union would be entitled to equal time to use the same media used by the employer to distribute information and be allowed access to the work site to communicate with employees.

Second, it would toughen penalties for wrongful discharge violations. In particular, it would require the National Labor Relations Board to award back pay equal to 3 times the employee's wages when the Board finds that an employee is discharged as a result of an unfair labor practice. It also would allow employees to file civil actions to recover punitive damages when they have been discharged as a result of an unfair labor practice.

Third, it would require expedited elections in cases where a super majority of workers have signed union recognition cards designating a union as the employee's labor organizations. In particular, it would require elections within 14 days after receipt of signed union recognition cards from 60 percent of the employees.

Fourth, the bill would put in place mediation and arbitration procedures to help employers and employees reach mutually agreeable first-contract collective bargaining agreements. It would require mediation if the parties cannot reach agreement on their own after 60 days. Should the parties not reach agreement 30 days after a mediator is selected, then either party could call in the Federal Mediation and Conciliation Service for binding arbitration. In this way both parties would have incentives to reach genuine agreement without allowing either side to hold the other hostage indefinitely to unrealistic proposals.

The need for these reforms is urgent, not only for workers who seek to join together and bargain collectively, but for all Americans. Indeed, one of the most important things we can do to raise the standard of living and quality

of life for working Americans, raise wages and benefits, improve health and safety in the workplace, and give average Americans more control over their lives is to enforce their right to organize, join, and belong to a union.

When workers join together to fight for job security, for dignity, for economic justice and for a fair share of America's prosperity, it is not a struggle merely for their own benefit. The gains of unionized workers on basic bread-and-butter issues are key to the economic security of all working families. Upholding the right to organize is a way to advance important social objectives, higher wages, better benefits, more pension coverage, more worker training, more health insurance coverage, and safer work places, for all Americans without drawing on any additional government resources.

The right to organize is one of the most important civil and human rights causes of the new millennium. I urge my colleagues to join me in helping to restore that right to its proper place.

By Mr. ROCKEFELLER (for himself, Mr. DORGAN, and Mr. BURNS):

S. 1103. A bill to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates in any case in which there is an absence of effective competition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I am happy today to join with my colleagues Senator DORGAN and Senator BURNS, in introducing the Rail Competition Act of 2001. Very simply, the purpose of this legislation is to encourage a bare minimum of competitive practices among participants in the freight rail industry, which has undergone unprecedented concentration in recent years, to the detriment of virtually all rail customers.

This legislation is a renewed effort on the part of my colleagues and me to address an issue that has amazed and shocked us for years. The monopoly power of the railroads places pervasive burdens on so many industries important to our states and to the national economy. No other industry in this country wields as much power over its customers as the railroad industry, and no other industry has as close an ally in the agency charged with its oversight as the railroad industry has with the Surface Transportation Board, known by the abbreviation STB. In fact, no other formerly regulated industry in this country continues to maintain this level of market dominance over its customers and essential infrastructure.

Shippers of bulk commodities, like coal from mines in West Virginia and grain from the Plains states, must routinely deal with shipments that move more slowly, and at rates much higher than would normally be charged in a

truly competitive market. Every company that ships its product by rail has a trove of horror stories regarding how high prices and poor service attributable to the lack of meaningful competition in the freight rail industry has affected their ability to compete in their own industries. I know this because these companies have been telling me the same types of stories since I came to Congress.

I know that other members of Congress have heard the stories, too. As many of my colleagues will remember, the point was driven home last year when more than 280 CEOs from companies covering the broadest possible spectrum of the American economy wrote to Senators McCAIN and HOLLINGS asking them to do something to insert real competition in the freight rail industry. For the record, the STB has also heard the complaints. However, the Board's focus has been the railroads' still-weak financial health, rather than the continued service problems that are its root cause.

I want to give my colleagues an example from an industry that is very important to my State and the rest of the Nation, the chemical industry. Throughout the country, approximately 80 percent of individual chemical operations are "captive" to one railroad, meaning they are served by only one railroad, and are subject to whatever pricing scheme the railroad chooses to use. In my home State of West Virginia, where the chemical industry is one of the pillars of the State's economy, 100 percent of chemical plants are captive. Some might be tempted to just write this off as the cost of doing business, but let me impart another view: These plants produce bulk chemicals that other companies buy and turn into countless products in use in every home and business in America.

Make no mistake, while the immediate beneficiary of this legislation will be the Rail Shipper who will have the opportunity to operate with the confidence that they are getting a fair deal the true beneficiary of this legislation is the retail shopper. Every purchase of every product that began its life in a chemical plant will be cheaper when that chemical plant receives competitive rail service because of this bill. Every ingredient in your families' dinners will go down in price when the shippers of agricultural commodities see their costs go down because this bill has produced efficiencies that benefit both shipper and railroad. Every time you flip the switch, and the lights turn on at a lower kilowatt-per-hour rate, it will happen because utilities throughout the nation have a more reliable and inexpensive supply of coal because of the Railroad Competition Act of 2001.

Congress deregulated the railroad industry with the passage of the Staggers Rail Act in 1980. Many of the predicted results of deregulation came to pass in relatively short order. The major

freight railroads, which were in pretty bad financial shape at the end of the 1970's, put their fiscal houses in order. In the course of these improvements, some weaker railroads were swallowed up by stronger corporations. Our Nation's rail network, which was extensive but inefficient in some respects, became more streamlined. Unfortunately, some of the benefits of competition that Congress was led to expect most notably improved service at lower cost have simply not materialized for many shippers in several parts of the country.

Indeed, rather than improving over time, the situation has grown steadily worse. The second half of the 1990's saw an unprecedented spate of railroad mergers, to the point now that the more than 50 Class I railroads in existence when I entered the United States Senate has dwindled to only six with four railroads carrying a staggeringly high percentage of the freight.

STB has considered these mergers to be "in the public interest," and I will not dispute the possibility that some of them may have been. I tend to believe that the notion that fueled many of the mergers was that somehow financially weak corporations with poor track records of service could be transformed overnight into efficient, businesslike railroads providing good service at lower costs. Meanwhile, rail shippers had to contend with newly merged railroads with monopoly power that did not seem to care any more about customer service than the separate companies that preceded them.

Before I complete my remarks, I want to address what I predict will be some of the rhetoric bandied about by the railroad industry. This bill is not an attempt to re-regulate the industry. When Congress passed the Staggers Rail Act in 1980, it did not do so with only the financial health of the railroads in mind. The Interstate Commerce Commission, and its successor agency, the STB, were supposed to maintain competition in the rail industry. Both agencies have failed miserably to contain the anti-competitive behavior of the railroads. My cosponsors and I only seek to require railroads to quote a price for a portion of a route on which they carry a company's products. This bill does not seek to give the STB more regulatory authority over the railroads, it only serves to remind the Board of the pro-competitive responsibilities authorized by Congress in the Staggers Act.

Likewise, we do not offer this bill to hasten the demise of the industry. The companies that have come to us time and again for help in getting competitive rail service absolutely need a strong railroad industry. Their products, for the most part, cannot be moved efficiently via trucks or barges. The competition that will be fostered by this legislation is intended to help the railroads as much as it is intended to help shippers. Some may dispute the fundamental economic logic of this, to

which I respond: Giving the railroads relatively unfettered regional monopolies with the right to engage in anti-competitive behavior has not produced the strong railroad industry the Staggers Act sought to produce. At the very least, perhaps it is time to give competition a chance to succeed.

Mr. DORGAN. Mr. President, I rise today to speak about a bill, the Railroad Competition Act of 2001, which, along with Senator BURNS and Senator ROCKEFELLER I hope will introduce a bit of competition and better service in our railroad industry. The truth is that our rail system is completely broken, deregulation has only led to a system dominated by regional monopolies and both shippers and consumers are paying the price.

Since the supposed deregulation of the rail industry in 1980, the number of major Class I railroads has been allowed to decline from approximately 42 to only four major U.S. railroads today. Four mega-railroads overwhelmingly dominate railroad traffic, generating 95 percent of the gross ton-miles and 94 percent of the revenues, controlling 90 percent of all U.S. coal movement; 70 percent of all grain movement and 88 percent of all originated chemical movement. This drastic level of consolidation has left rail customers with only two major carriers operating in the East and two in the West, and has far exceeded the industry's need to minimize unit operating costs.

But consolidation has not happened in a vacuum. Over the years, regulators have systematically adopted policies that so narrowly interpret the pro-competitive provisions of the 1980 statute that railroads are essentially protected from ever having to compete with each other. As a consequence rail users have no power to choose among carriers either in terminal areas where switching infrastructure makes such choices feasible, nor can rail users even get a rate quoted to them over a "bottleneck" segment of the monopoly system.

The negative results of this approach have been astonishing. In North Dakota it costs \$2,300 to move one rail car of wheat to Minneapolis (approx. 400 miles). Yet for a similar 400 mile move between Minneapolis and Chicago, it costs only \$310 to deliver that car. And move that same car another 600 miles to St. Louis, Missouri and it costs only \$610 per car. Looking at it another way—An elevator in Minot, North Dakota pays \$2.99 to the farmer for a bushel of wheat. The cost to ship that wheat to the West coast on the BNSF is \$1.30 per bushel. At that rate, rail transportation consumes 43 percent of the value of that wheat. Not only is that totally unfair to the captive farmer, but in the long run it is unsustainable.

How has this happened? Since the deregulation of the railroad industry, it has been the responsibility of the Interstate Commerce Commission,

later renamed, the Surface Transportation Board, to make sure that the pro-competitive intent of the law was being upheld. It is the STBs charge to protect captive shippers through "regulated competition."

That clearly hasn't happened. In 1999 the GAO reported on how complicated it is for a shipper to get rate relief under the "regulated competition" approach at the STB. The GAO found that this process takes up to 500 days to decide, and costs hundreds of thousands of dollars. Hundreds of thousands of dollars and about approximately two years—that's hardly a rate relief process. But it's about the only relief shippers have under the law.

The Railroad Competition Act of 2001 will reaffirm the strong role the STB should play in protecting shippers by: jump-starting competition by requiring railroads to quote a rate on any given segment; facilitating terminal access and the ability to transfer goods among railroads in terminal areas; simplifying the market dominance test; eliminating the annual revenue adequacy test; bolstering rail access by making the rate relief process cheaper, faster and easier through a streamlined arbitration process, and requiring the railroads to file monthly service performance reports with the Department of Transportation, similar to what we require of the airline industry, so that rail customers have access to the information then need to make good railroad and transportation choices.

All Americans, whether they are farmers who need to ship their crops to market, businesses shipping factory goods, or consumers that buy the finished product, deserve to have a rail transportation system with prices that are fair. It is time for Congress to stand up for farmers, businesses, and consumers by making it very clear that the STB has to be a more aggressive defender of competition and reasonable rates.

By Mr. GRAHAM (for himself, Mr. MURKOWSKI, Mr. GRAMM, Mr. NICKLES, Mr. THOMPSON, Mr. KYL, Mr. HAGEL, Mr. ROBERTS, and Mr. CHAFEE):

S. 1104. A bill to establish objectives for negotiating, and procedures for, implementing certain trade agreements; to the Committee on Finance.

Mr. GRAHAM. Mr. President, I rise today with Senator MURKOWSKI and our cosponsors to introduce the Trade Promotion Authority Act of 2001. We have stepped forward because we believe that international trade is essential to increase opportunities for U.S. producers, to support U.S. jobs, and to provide economic opportunities for trading partners who need development.

Last month the Administration release its 2001 International Trade Agenda, which outlined the President's principles for renewed trade promotion authority, TPA. At the same time, I was working with a group of pro-trade Democrats to identify our key prior-

ities. What we discovered is that our two sets of principles had much in common.

Over the last few weeks, Senator MURKOWSKI and I have worked together to translate those two sets of principles into legislative language.

The trade debate has been virtually deadlocked for years, with voices from the "end zones" taking center-stage. In our view, this bill represents the basic architecture of a bipartisan bill on what we believe is the "50 yard line." We also look forward to the contribution that others will make before this bill is signed into law.

The fact that we introduced this bill with bipartisan support is particularly significant because this is not just a set of ideas that happened to be popular with both Democrats and Republicans. This bill took real compromise on both sides.

For my part, my contributions to this bill were based on the trade principles developed by New Democrats led by CAL DOOLEY in the House and several of my colleagues in the Senate. The New Democrat trade principles we released in May are fully incorporated into this bill.

What we introduce today is not a trade agreement. Trade promotion authority is an authorization to the President to begin negotiations. Details of a trade bill will be developed through the process established by the grant of TPA. At the end of that process, Congress will review the result of those negotiations and grant approval or disapproval to the result.

Trade promotion authority puts the will of Congress behind our trade negotiator, but it cannot and should not mandate a specific result from negotiations. We must leave it to our negotiators to reach the most favorable agreement they can.

A trade promotion authority bill is a way for Congress to communicate its negotiating priorities. Some of the priorities we put forward in this bill include: negotiating objectives on labor and environment that receive the same priority as commercial negotiating objectives; a new negotiating objective on information technologies to reduce trade barriers on high technology products, enhance and facilitate barriers-free e-commerce, and provide the same rights and protections for the electronic delivery of products as are offered to products delivered physically; adoption of measures in trade agreements to ensure proper implementation, full compliance and appropriate enforcement mechanisms that are timely and transparent; and a stronger process for continuous Congressional involvement in the process before, during, and at the close of negotiations so that the will of Congress is fully expressed in the final agreement.

I have been concerned by the views expressed by some Members that it may be better to delay consideration of TPA until next year. This would be a "major league" mistake. There is a real price to be paid for delay.

One hundred years ago the U.S. took an isolationist position with respect to our economic relations with Latin America. The result of this was that the Nations of Latin America adopted European technical standards. This has been a handicap to the U.S. economic position in Latin America ever since.

We now are in danger of repeating this mistake. The best way to avoid doing so is to negotiate and enter trade agreement with nations so that American standards become the norm and American businesses and workers can benefit.

Nothing is likely to occur in the next 12 to 24 months that will make reaching a consensus on trade promotion authority more likely. In fact just the opposite is true.

The best way to move forward is to put TPA in perspective. It seems the debate on this issue moves quickly to being a referendum on whether trade and globalization are good or bad. That, frankly, is not the question. We can't walk away from globalization and we can't shut the door to international commerce. We can't put the genie back in the bottle.

What we can do is try to shape these economic forces and define a trade agenda that addresses our priorities. The real question is, "can the United States have more influence in the trade arena with TPA or without it."

I am convinced that we will give the President a stronger negotiating position, and get the country a better result, if we pass a grant of trade promotion authority as soon as possible. That is not to say that I advocate giving the President a blank check to cash as he pleases. It also does not mean that I believe in a "free trade utopia" either.

I recognize there will be issues with our trading partners and that everyone doesn't always play by the rules. The way to address concerns with our trading partners is at the negotiating table. That makes it all the more important for us to have a strong negotiating position, and TPA is central to that.

We encourage others to contribute specific suggestions to enhance the bill's ability to contribute to its principle objective of opening markets to U.S. goods, creating new and better jobs for Americans, and allowing the world to benefit from U.S. goods and services.

Only 4 percent of the world's consumers live in the United States. If we want to sell our agriculture products, manufactured goods, and world-class services to the rest of the 96 percent around the world, we have to do it through trade. Trade promotion authority is the best way for the President to negotiate trade agreements that will open markets and improve standards of living at home and abroad.

Mr. MURKOWSKI. Mr. President, I rise today to join my colleague, Senator GRAHAM, in introducing the Trade Promotion Act of 2001. In my six and a

half years on the Finance Committee, on which Senator GRAHAM and I both serve, there has always been a strong bi-partisan consensus in favor of open markets and free trade. In introducing the Trade Promotion Act of 2001 today, we continue that spirit.

This is a bill to which many members have contributed. Together, we believe that trade is the single most important catalyst for expanding jobs and opportunities here at home and encouraging economic development abroad.

The United States has always been a trading Nation. We learned the law of comparative advantage very early in our history, and became the wealthiest Nation in history as a direct result. Economic theory tells us that trade between markets expands the opportunities and benefits in both those markets. As far as trade is concerned, the whole is always greater than the sum of its parts. Our Nation's history has been the practical embodiment of this theory. Without trade, this Nation would simply not be the greatest on earth.

Yet no matter how many times we have learned this lesson, we forget it just as many times. Here we are in 2001, facing the same challenges on trade we have faced on countless occasions in the past. The champions of protectionism have become more sophisticated over the years. Still: their arguments are the same old fear-mongering and disinformation they have been peddling for 200 years.

Does trade lead to winners and losers? Yes, that's called competition, the bedrock of our society.

Does economic growth put pressures on underdeveloped societies in labor and environmental areas? Yes, it can. It did in this country too.

But do the short-term pains of competition and other pressures on society outweigh the benefits of trade? No, not now, not ever.

The United States can be leaders on trade or we can be followers. We can either shape the global economy or be shaped by it.

There are 134 free trade agreements in the world today. The United States is party to only 2 of those. To my mind, that is a shameful record. We have done a disservice to our farmers, fishermen, businesses and the working men and women of this country.

I recognize there are those who are concerned about the broader impacts of globalization. To them I say: you can't influence the outcome unless you are in the game.

Does government have a role in easing the plight of firms and individuals negatively affected by trade? Absolutely. Sound economic policy should ease the transition of individuals and their companies to more competitive areas.

Can the United States help other countries overcome short-term labor and environmental problems resulting from rapid growth? No question at all. Through technology and other means

we have many tools to help the developing world.

But the only way to address these problems is for the United States to exercise leadership on trade. Without Trade Promotion Authority, such leadership will be impossible.

Senator GRAHAM and I and our colleagues believe the Graham-Murkowski Trade Promotion Act of 2001 is the right vehicle to provide those leadership tools.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 1105. A bill to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. THOMAS. Mr. President, I am pleased to introduce a bill today to authorize the exchange of State lands inside Grand Teton National Park.

Grand Teton National Park was established by Congress on February 29, 1929, to protect the natural resources of the Teton range and recognize the Jackson area's unique beauty. On March 15, 1943, President Franklin Delano Roosevelt established the Jackson Hole National Monument adjacent to the park. Congress expanded the Park on September 14, 1950, by including a portion of the lands from the Jackson Hole National Monument. The park currently encompasses approximately 310,000 acres of wilderness and has some of the most amazing mountain scenery anywhere in our country. This park has become an extremely important element of the National Park system, drawing almost 2.7 million visitors in 1999.

When Wyoming became a State in 1890, sections of land were set aside for school revenue purposes. All income from these lands—rents, grazing fees, sales or other sources—is placed in a special trust fund for the benefit of students in the State. The establishment of these sections predates the creation of most national parks or monuments within our State boundaries, creating several state inholdings on federal land. The legislation I am introducing today would allow the Federal Government to remove the state school trust lands from Grand Teton National Park and allow the State to capture fair value for this property to benefit Wyoming school children.

This bill, entitled the "Grand Teton National Park Land Exchange Act," identifies approximately 1406 acres of State lands and mineral interests within the boundaries of Grand Teton National Park for exchange for Federal assets. These Federal assets could include mineral royalties, appropriated dollars, federal lands or combination of any of these elements.

The bill also identifies an appraisal process for the state and federal government to determine a fair value of the state property located within the

park boundaries. Ninety days after the bill is signed into law, the land would be valued by one of the following methods: (1) the Interior Secretary and Governor would mutually agree on a qualified appraiser to conduct the appraisal of the State lands in the park; (2) if there is no agreement about the appraiser, the Interior Secretary and Governor would each designate a qualified appraiser. The two designated appraisers would select a third appraiser to perform the appraisal with the advice and assistance of the designated appraisers.

If the Interior Secretary and Governor cannot agree on the evaluations of the State lands 180 days after the date of enactment, the Governor may petition the U.S. Court of Federal Claims to determine the final value. One-hundred-eighty days after the State land value is determined, the Interior Secretary, in consultation with the Governor, shall exchange Federal assets of equal value for the State lands.

The management of our public lands and natural resources is often complicated and requires the coordination of many individuals to accomplish desired objectives. When western folks discuss Federal land issues, we do not often have an opportunity to identify proposals that capture this type of consensus and enjoy the support from a wide array of interests; however, this land exchange offers just such a unique prospect.

This legislation is needed to improve the management of Grand Teton National Park, by protecting the future of these unique lands against development pressures and allow the State of Wyoming to access their assets to address public school funding needs.

This bill enjoys the support of many different groups including the National Park Service, the Wyoming Governor, State officials, as well as folks from the local community. It is my hope that the Senate will seize this opportunity to improve upon efforts to provide services to the American public.

By Mr. DOMENICI:

S. 1106. A bill to provide a tax credit for the production of oil or gas from deposits held in trust for, or held with restrictions against alienation by, Indian tribes and Indian individuals; to the Committee on Finance.

Mr. DOMENICI. Mr. President, today I am proud to introduce legislation that would provide a Federal tax credit for oil and natural gas produced from Indian lands. This legislation will serve two important purposes. It will provide an immediate boost to tribal economies, and it will provide additional domestic sources of energy to ease our growing energy crisis.

Even though Indian lands offer a fertile source of oil and natural gas, many disincentives to exploration and production exist. For example, the Supreme Court permits the double tax-

ation of oil and natural gas produced from tribal lands, which unfairly subjects producers to both State and tribal taxation. Furthermore, tribal economies are not sufficiently diversified to allow for tribal tax incentives for oil and natural gas development. Finally, Congress has enacted innumerable incentives for energy development on Federal lands, which has made production from this land far more profitable. As a result, Indian lands are too often overlooked as a source of domestic energy.

This legislation would remedy these disadvantages by providing Federal tax credits for oil and natural gas production on tribal lands. These tax credits would be available to both the tribe as royalty owner and the producer. Tribes would benefit in two ways: they could broaden their tax base from substantially increased oil and gas production; and they could market their share of the tax credit to generate additional revenue. These additional revenues would allow tribes to strengthen their infrastructure and improve the vital services that they provide to their citizens.

Unfortunately, the recent economic prosperity has not been extended to many Indian tribes. This is the reason why these tax incentives are so crucial. They will provide a much-needed shot in the arm to tribal economic development and will compensate for the discriminatory double taxation that hinders energy production. In recent years, many people have criticized the growth of the gaming industry on reservations. However, these critics have failed to suggest viable alternatives for tribal economic development. This legislation would supply strong opportunity for entrepreneurship in a vital national industry and would bring many more tribes into the economic mainstream.

Finally, this legislation would have the added benefit of creating an additional source of domestic energy. In our efforts to craft a comprehensive energy policy for the United States, we have been searching for additional sources of domestic energy. In this search, we must not overlook tribal oil and gas production. America's energy supply is a patchwork of various domestic and international sources, and the addition of tribal lands will only strengthen the seams of this patchwork and decrease our risky reliance on foreign sources.

Therefore, I am proud today to introduce this legislation to boost the production of oil and natural gas on Indian lands and to strengthen our domestic energy supply.

## STATEMENTS ON SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 117—HONORING JOHN J. DOWNING, BRIAN FAHEY, AND HARRY FORD, WHO LOST THEIR LIVES IN THE COURSE OF DUTY AS FIREFIGHTERS

Mrs. CLINTON (for herself, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 117

Whereas on June 17, 2001, 350 firefighters and numerous police officers responded to a 911 call that sent them to Long Island General Supply Company in Queens, New York;

Whereas a fire and an explosion in a 2-story building had turned the 128-year-old, family-owned store into a heap of broken bricks, twisted metal, and shattered glass;

Whereas all those who responded to the scene served without reservation and with their personal safety on the line;

Whereas 2 civilians and dozens of firefighters were injured by the blaze, including firefighters Joseph Vosilla and Brendan Manning who were severely injured;

Whereas John J. Downing of Ladder Company 163, an 11-year veteran of the department and resident of Port Jefferson Station, and a husband and father of 2, lost his life in the fire;

Whereas Brian Fahey of Rescue Company 4, a 14-year veteran of the department and resident of East Rockaway, and a husband and father of 3, lost his life in the fire; and

Whereas Harry Ford of Rescue Company 4, a 27-year veteran of the department from Long Beach, and a husband and father of 3, lost his life in the fire: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters, and recognizes them for their bravery and sacrifice;

(2) extends its deepest sympathies to the families of these 3 brave heroes; and

(3) pledges its support and to continue to work on behalf of all of the Nation's firefighters who risk their lives every day to ensure the safety of all Americans.

### SENATE CONCURRENT RESOLUTION 55—HONORING THE 19 UNITED STATES SERVICEMEN WHO DIED IN THE TERRORIST BOMBING OF THE KHOBAR TOWERS IN SAUDI ARABIA ON JUNE 25, 1996

Mr. BOND (for himself, Mrs. HUTCHISON, Mr. DEWINE, and Mr. LIEBERMAN) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 55

Whereas June 25, 2001, marks the fifth anniversary of the tragic terrorist bombing of the Khobar Towers in Saudi Arabia;

Whereas this act of senseless violence took the lives of 19 brave United States servicemen, and wounded 500 others;

Whereas these nineteen men killed while serving their country were Captain Christopher Adams, Sergeant Daniel Cafourek, Sergeant Millard Campbell, Sergeant Earl Cartrette, Jr., Sergeant Patrick Fennig, Captain Leland Haun, Sergeant Michael Heiser, Sergeant Kevin Johnson, Sergeant Ronald