

from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Mrs. BOXER, and Mr. CHAFEE):

S. 1755. A bill to amend the Internal Revenue Code of 1986 to disallow tax deductions for advertising, promotional, and marketing expenses relating to tobacco product use unless certain advertising requirements are met; to the Committee on Finance.

By Mr. DASCHLE:

S. 1756. A bill to name the education center under construction at Fort Campbell, Kentucky, after Wendell H. Ford; to the Committee on Armed Services.

By Ms. SNOWE (for herself and Mr. D'AMATO):

S. 1757. A bill to amend the Public Health Service Act to extend the program of research on breast cancer; to the Committee on Labor and Human Resources.

By Mr. LUGAR (for himself, Mr. BIDEN, Mr. CHAFEE, Mr. LEAHY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. CRAIG, Mr. COCHRAN, Mr. DEWINE, Mr. GLENN, Mr. HARKIN, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Mr. KEMPTHORNE, Mr. LEVIN, Mr. MOYNIHAN, and Mr. MURKOWSKI):

S. 1758. A bill to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. CAMPBELL, Mr. MCCAIN, Mr. ABRAHAM, Mr. DOMENICI, Mr. GRASSLEY, and Mrs. HUTCHISON):

S. 1759. A bill to grant a Federal charter to the American GI Forum of the United States; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 1760. A bill to amend the National Sea Grant College Program Act to clarify the term Great Lakes; to the Committee on Commerce, Science, and Transportation.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mrs. BOXER, and Mr. CHAFEE):

S. 1755. A bill to amend the Internal Revenue Code of 1986 to disallow tax deductions for advertising, promotional, and marketing expenses relating to tobacco product use unless certain advertising requirements are met; to the Committee on Finance.

#### THE CHILDREN'S HEALTH PRESERVATION AND TOBACCO ADVERTISING COMPLIANCE ACT

Mr. REED. Mr. President, I rise today to formally introduce legislation that would amend the Internal Revenue Code to deny tobacco companies any tax deduction for their advertising and promotional expenses when those ads are aimed at America's most impressionable group, children.

This bill addresses a key element in our ongoing public debate on tobacco: the industry's ceaseless efforts to market to children. My legislation can stand on its own, or can easily be incorporated into a comprehensive tobacco bill. With or without congressional action on the state attorney generals' tobacco settlement, it is time for Congress to put a stop to the tobacco industry's practice of luring children into untimely disease and death.

I am pleased to be joined today in introducing this legislation with Senators BOXER and CHAFEE, and I urge the rest of my colleagues to join us in this effort to protect America's children.

Mr. President, I ask unanimous consent that the full 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. 1755

*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 "Children's Health Preservation and Tobacco Advertising Compliance Act".

#### SEC. 2. DISALLOWANCE OF TAX DEDUCTIONS FOR CERTAIN ADVERTISING, PROMOTION, AND MARKETING EXPENSES RELATING TO TOBACCO PRODUCT USE.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of subtitle A of the Internal Revenue Code of 1986 (relating to items not deductible) is amended by adding at the end the following:

##### "SEC. 280I. DISALLOWANCE OF DEDUCTION FOR CERTAIN TOBACCO ADVERTISING, PROMOTION, AND MARKETING EXPENSES.

"(a) IN GENERAL.—No deduction shall be allowed under this chapter for any taxable year for any expenditure relating to advertising, promoting, or marketing tobacco products if such advertising, promoting, or marketing, or such expenditure is prohibited under the following subsections.

"(b) PROHIBITION OF CERTAIN ADVERTISING.—

"(1) PROHIBITION ON OUTDOOR ADVERTISING.—

"(A) IN GENERAL.—No manufacturer, distributor, or retailer may use any form of outdoor tobacco product advertising, including billboards, posters, or placards.

"(B) STADIA AND ARENAS.—Except as otherwise provided in this section, a manufacturer, distributor, or retailer shall not advertise tobacco products in any arena or stadium where athletic, musical, artistic, or other social or cultural events or activities occur.

"(2) PROHIBITION ON USE OF HUMAN IMAGES AND CARTOONS.—No manufacturer, distributor, or retailer may use a human image or a cartoon character or cartoon-type character in its advertising, labeling, or promotional material with respect to a tobacco product.

"(3) PROHIBITION ON ADVERTISING ON THE INTERNET.—No manufacturer, distributor, or retailer may use the Internet to advertise tobacco products unless such an advertisement is inaccessible in or from the United States.

"(4) PROHIBITION ON POINT OF SALE ADVERTISING.—

"(A) IN GENERAL.—Except as otherwise provided in this paragraph, no manufacturer, distributor, or retailer may use point of sale advertising of tobacco products.

"(B) ADULT ONLY STORES AND TOBACCO OUTLETS.—Subparagraph (A) shall not apply to point of sale advertising at adult only stores and tobacco outlets.

"(C) PERMISSIBLE ADVERTISING.—

"(i) IN GENERAL.—Each manufacturer of tobacco products may display not more than 2 separate point of sale advertisements in or at each location at which tobacco products are offered for sale.

"(ii) RETAILERS.—No manufacturer, distributor, or retailer may enter into any arrangement with a retailer to limit the ability of the retailer to display any form of permissible point of sale advertisement or promotional material originating with another manufacturer, distributor, or retailer.

"(D) LIMITATIONS.—

"(i) IN GENERAL.—A point of sale advertisement permitted under this paragraph shall be comprised of a display area that is not larger than 576 square inches (either individually or in the aggregate) and shall consist only of black letters on a white background or other recognized typographical marks. Such advertisement shall not be attached to nor located within 2 feet of any fixture on which candy is displayed for sale.

"(ii) AUDIO AND VIDEO FORMATS.—Audio and video advertisements otherwise permitted under this section may be distributed to individuals who are 18 years of age or older at point of sale but may not be played or viewed at such point of sale.

"(iii) DISPLAY FIXTURES.—Display fixtures in the form of signs consisting of brand name and price and not larger than 2 inches in height are permitted.

"(C) ADDITIONAL RESTRICTIONS.—

"(1) RESTRICTION ON PRODUCT NAMES.—A manufacturer shall not use a trade or brand name of a nontobacco product as the trade or brand name for a cigarette or smokeless tobacco product, except for a tobacco product whose trade or brand name was on both a tobacco product and a nontobacco product that were sold in the United States on January 1, 1998.

"(2) ADVERTISING LIMIT ACTIONS.—

"(A) IN GENERAL.—A manufacturer, distributor, or retailer may in accordance with this section, disseminate or cause to be disseminated advertising or labeling which bears a tobacco product brand name (alone or on conjunction with any other word) or any other indicia of tobacco product identification only in newspapers, in magazines, in periodicals or other publications (whether periodic or limited distribution), on billboards, posters and placards in accordance with subsection (b)(1), in nonpoint of sale promotional material (including direct mail), in point-of-sale promotional material, and in audio or video formats delivered at a point-of-sale.

"(B) LIMITATION.—A manufacturer, distributor, or retailer that intends to disseminate, or to cause to be disseminated, advertising or labeling for a tobacco product in a medium that is not described in subparagraph (A) shall notify the Secretary of Health and Human Services not less than 30 days prior to the date on which such medium is to be used. Such notice shall describe the medium and discuss the extent to which the advertising or labeling may be seen by individuals who are under 18 years of age.

"(C) ACTION BY SECRETARY.—Not later than 30 days after the date on which the Secretary receives a notice under subparagraph (B), the Secretary shall make a determination with respect to the action to be taken concerning such notice.

"(3) RESTRICTION ON PLACEMENT IN ENTERTAINMENT MEDIA.—No payment shall be made by any manufacturer, distributor, or retailer for the placement of any tobacco product or tobacco product package or advertisement—

“(A) as a prop in any television program or motion picture produced for viewing by the general public; or

“(B) in a video or on a video game machine.

“(4) RESTRICTIONS ON GLAMORIZATION OF TOBACCO PRODUCTS.—No direct or indirect payment shall be made, or consideration given, by any manufacturer, distributor, or retailer to any entity for the purpose of promoting the image or use of a tobacco product through print, film or broadcast media that appeals to individuals under 18 years of age or through a live performance by an entertainment artist that appeals to such individuals.

“(d) FORMAT AND CONTENT REQUIREMENTS FOR LABELING AND ADVERTISING.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each manufacturer, distributor, or retailer advertising or causing to be advertised, disseminating or causing to be disseminated, any labeling or advertising for a tobacco product shall use only black text on a white background.

“(2) CERTAIN ADVERTISING EXCEPTED.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to advertising—

“(i) in any facility where vending machines and self-service displays are located if the advertising involved—

“(I) is not visible from outside of the facility; and

“(II) is affixed to a wall or fixture in the facility;

“(ii) that appears in any publication (whether periodic or limited distribution) that is an adult publication.

“(B) ADULT PUBLICATION.—For purposes of subparagraph (A)(ii), the term ‘adult publication’ means a newspaper, magazine, periodical, or other publication—

“(i) whose readers under 18 years of age constitute 15 percent or less of the total readership as measured by competent and reliable survey evidence; and

“(ii) that is read by fewer than 2,000,000 individuals who are under 18 years of age as measured by competent and reliable survey evidence.

“(3) AUDIO OR VIDEO FORMATS.—Each manufacturer, distributor or retailer advertising or causing to be advertised any advertising for a tobacco product in an audio or video format shall comply with the following:

“(A) With respect to an audio format, the advertising shall be limited to words only with no music or sound effects.

“(B) With respect to a video format, the advertising shall be limited to static black text only on a white background. Any audio with the video advertising shall be limited to words only with no music or sound effects.

“(e) BAN ON NON-TOBACCO ITEMS AND SERVICES, CONTESTS AND GAMES OF CHANCE, AND SPONSORSHIP OF EVENTS.—

“(1) BAN ON ALL NON-TOBACCO MERCHANDISE.—No manufacturer, importer, distributor, or retailer shall market, license, distribute, sell or cause to be marketed, licensed, distributed or sold any item (other than tobacco products) or service, which bears the brand name (alone or in conjunction with any other word), logo, symbol, motto, selling message, recognizable color or pattern of colors, or any other indicia of product identification similar or identifiable to those used for any brand of tobacco products.

“(2) GIFTS, CONTESTS, AND LOTTERIES.—No manufacturer, distributor, or retailer shall offer or cause to be offered to any person purchasing tobacco products any gift or item (other than a tobacco product) in consideration of the purchase of such products, or to any person in consideration of furnishing evidence, such as credits, proofs-of-purchase, or coupons, of such a purchase.

“(3) SPONSORSHIP.—

“(A) IN GENERAL.—No manufacturer, distributor, or retailer shall sponsor or cause to be sponsored any athletic, musical, artistic or other social or cultural event, or any entry or team in any event, in which the brand name (alone or in conjunction with any other word), logo, motto, selling message, recognizable color or pattern of colors, or any other indicia of product identification similar or identical to those used for tobacco products is used.

“(B) USE OF CORPORATE NAME.—A manufacturer, distributor, or retailer may sponsor or cause to be sponsored any athletic, musical, artistic, or other social or cultural event in the name of the corporation which manufactures the tobacco product if—

“(i) both the corporate name and the corporation were registered and in use in the United States prior to January 1, 1995; and

“(ii) the corporate name does not include any brand name (alone or in conjunction with any other word), logo, symbol, motto, selling message, recognizable color or pattern of colors, or any other indicia or product identification identical or similar to, or identifiable with, those used for any brand of tobacco products.

“(f) DEFINITIONS.—For purposes of this section—

“(1) IN GENERAL.—Any term used in this section which is also used in section 5702 shall have the same meaning given such term by section 5702.

“(2) BRAND.—The term ‘brand’ means a variety of a tobacco product distinguished by the tobacco used, tar content, nicotine content, flavoring used, size, filtration, or packaging.

“(3) DISTRIBUTOR.—The term ‘distributor’ means any person who furthers the distribution of tobacco products, whether domestic or imported, at any point from the original place of manufacture to the person who sells or distributes the product to individuals for personal consumption. Such term shall not include common carriers.

“(4) PACKAGE.—The term ‘package’ means a pack, box, carton, or container of any kind in which tobacco products are offered for sale, sold, or otherwise distributed to consumers.

“(5) POINT OF SALE.—The term ‘point of sale’ means any location at which an individual can purchase or otherwise obtain tobacco products for personal consumption.

“(6) POINT OF SALE ADVERTISING.—The term ‘point of sale advertising’ means all printed or graphical materials bearing the brand name (alone or in conjunction with any other word), logo, motto, selling message, recognizable color or pattern of colors, or any other indicia of product identification similar or identical to those used for tobacco products, which, when used for its intended purpose, can reasonably be anticipated to be seen by customers at a location at which tobacco products are offered for sale.

“(7) RETAILER.—The term ‘retailer’ means any person who sells tobacco products to individuals for personal consumption, or who operates a facility where vending machines or self-service displays are located.

“(8) VIDEO.—The term ‘video’ means an audiovisual work produced for viewing by the general public, such as a television program, a motion picture, a music video, and the audiovisual display of a video game.

“(9) VIDEO GAME.—The term ‘video game’ means any electronic amusement device that utilizes a computer, microprocessor, or similar electronic circuitry and its own cathode ray tube, or is designed to be used with a television set or a monitor, that interacts with the user of the device.”

(b) CONFORMING AMENDMENT.—The table of sections for such part IX is amended by adding after the item relating to section 280H the following:

“Sec. 280I. Disallowance of deduction for certain tobacco advertising, promotion, and marketing expenses.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

By Mr. DASCHLE:

S. 1756. A bill to name the education center under construction at Fort Campbell, Kentucky, after WENDELL H. FORD; to the Committee on Armed Services.

THE WENDELL H. FORD EDUCATION CENTER  
DESIGNATION ACT OF 1998

Mr. DASCHLE. Mr. President, I would like to call to the Senate's attention an impressive milestone that a member of this body will reach this weekend. On Saturday the senior Senator from Kentucky, my friend and Democratic Whip, WENDELL FORD, will have served the state of Kentucky in the Senate for the 8,478th day. He will become the longest-serving Senator in Kentucky history.

While I suspect that Senator FORD might be more concerned this weekend about how his beloved Kentucky Wildcats will fare in the NCAA basketball tournament than about achieving any personal record, I hope he will allow me a few minutes to recognize this tremendous achievement.

It gives me great personal satisfaction to see Senator FORD cap his distinguished Senate career by reaching this milestone. It is also appropriate that Senator FORD does so by surpassing the length of service of another great Senator from Kentucky, the former Democratic Leader and then Vice President of the United States, Alben Barkley.

WENDELL FORD began his Senate service back in December 1974. In 23-plus years, he has made his mark in the Senate in an extraordinary number of ways: as a tenacious fighter for the people of Kentucky, as a skilled parliamentarian and orator, as a leader and faithful soldier of his party, and as a genuinely warm, funny, and down-to-earth human being.

Perhaps the Almanac of American Politics best described his political tenacity when it said that Senator FORD's “fierce determination to champion Kentuckians’ interests seems rooted in a sense that they are little guys who are victims or targets of big selfish guys elsewhere—that they are as humble as FORD's own economic background.” Indeed, anyone who has engaged Senator FORD in the legislative arena knows that he is deeply rooted in the Kentucky soil from which he sprang.

He has been a thoroughly tireless defender of Kentucky's working families, from 60,000 tobacco growers on small farms across the state to the coal miners in Appalachia's hills and hollows. WENDELL FORD surely deserves one of the highest compliments one can give a Senator: that he has never forgotten where he came from.

Though I can think of no one more tenacious in defense of his constituents, I can also think of no Senator more loyal to his party, 2 traits that are sometimes difficult to reconcile.

WENDELL FORD has served his party in a variety of ways: as chairman of the Democratic Senatorial Campaign Committee; as chairman and ranking member of the Senate Rules Committee; as chairman and ranking member of the Commerce Subcommittee on Aviation; and, since 1991, assistant Senate Democratic Leader and Whip.

His friendship and counsel to me during my tenure as Senate Democratic leader have been invaluable. I could not imagine learning the many facets of this job without Senator FORD at my side. WENDELL FORD represents the best of the Senate's old school. He is someone who reveres the traditions and rules that are the foundation of the Senate. He is also someone who values the courtesy, humor, and personal bonds that give the Senate its life and its sense of common purpose.

Mr. President, the state of Kentucky has sent a number of talented men to this chamber. Men like Albert "Happy" Chandler, Earle C. Clements, John Sherman Cooper, and certainly the legendary Henry Clay come to mind. It is a high honor that WENDELL FORD stands next to these great Kentuckians in service to their state. But it is perhaps most appropriate that Senator FORD surpassed the tenure of former Senator Alben Barkley. Like Senator FORD, Alben Barkley had roots in the soil, born on a small tobacco farm in Kentucky.

Like Senator FORD, Alben Barkley served his state and country in a range of positions, from county judge, to Congressman, Senator, then Vice President of the United States. And like Senator FORD, he was in the Senate leadership in both the Majority and Minority, serving as Leader in both capacities.

Tested by the loss of the Senate majority in the mid-1940s, Senator Barkley turned adversity to his advantage. In 1948, a poll of journalists in *Colliers* magazine recognized Minority Leader Barkley as the most effective member of the Senate. This was remarkable, since 10 years earlier, a similar poll had left him completely off the list of the 10 most effective members even though he was Majority Leader.

In recognition of his effectiveness, one journalist commented that "under conditions that would have caused a less determined man to walk out and rest, he continued to work for his country through his party." Another said that "by his wisdom, humor, and moderation, plus his devotion to the system, he has strengthened the concept of party responsibility." More appropriate words could not be spoken about Senator FORD, either.

We can only hope that Senator FORD may also look to one other example set by Alben Barkley. Senator Barkley became Vice President Barkley in 1948.

He served in that capacity for 1 term. Not content to accept a permanent retirement after leaving the Vice Presidency, however, Barkley ran again for the Senate in 1954 and won, returning to his beloved Senate. Maybe Senator FORD will keep that in the back of his mind.

But taking Senator FORD at his word—that he will be leaving the Senate for good at the end of this year—his staff and I have tried to settle on a fitting tribute to the longest-serving Senator in Kentucky history. A tribute that will symbolize for every Kentuckian the enduring commitment to their well being that WENDELL FORD has shown.

Today I am introducing a bill to name the school under construction in Fort Campbell, Kentucky, the "Wendell H. Ford Education Center." The Wendell H. Ford Education Center will assume its name the day Senator FORD leaves the Senate. I hope the students who enter its halls will fully appreciate the contributions of WENDELL H. FORD and the remarkable way in which he has led his colleagues, his State, and his country in the difficult challenges we have faced in the past 25 years.

Like many in Kentucky, many in this chamber are familiar with one of Senator FORD's trademark greetings, "How are all you lucky people doing?" This is sometimes abbreviated to simply, "Hey, Lucky!" Truly, all of us who have served with Senator FORD have been extremely lucky. He will be missed by a lot of people around here when he retires at the end of this Congress.

But today, we all should all take a moment to congratulate and thank Senator WENDELL FORD on his record-breaking service to the people of Kentucky, the United States Senate, and the country.

Mr. President, 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. 1756

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

**SECTION 1. NAMING OF EDUCATION CENTER AT FORT CAMPBELL, KENTUCKY.**

(a) NAME.—The education center under construction at Fort Campbell, Kentucky, shall be known and designated as the "Wendell H. Ford Education Center". Any reference to such center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Wendell H. Ford Education Center.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on January 3, 1999, or the first day on which Wendell H. Ford ceases to be a Senator.

Mr. REID. Mr. President, WENDELL H. FORD tomorrow will surpass the tenure for all Senators from the State of Kentucky as having served the longest period of time. WENDELL FORD is Kentucky through and through—born in

Daviess County, KY, went to the University of Kentucky, served in the U.S. Army during the Second World War. WENDELL FORD is someone who has contributed to this body second to none. I rise today to join with others in recognizing the contributions of one of the Senate's finest Members and someone I consider a friend.

As I have said, Mr. President, on March 14 Senator WENDELL FORD will become Kentucky's longest-serving Senator, surpassing the tenure of the legendary Alben Barkley. Senator FORD will have served 8,478 days in the Senate from the State of Kentucky.

In preparing these remarks, we were looking through the *Courier-Journal*, an editorial which said:

Senator Wendell Ford likes to refer to himself as a dumb country boy with dirt between his toes.

Don't believe that for a second.

The newspaper goes on to say that it was a long road from our colleague's hometown of Yellow Creek, KY, to Capitol Hill and an even longer one from the job of Senator to the Senate's assistant leader to the Senate's whip.

It goes on:

Only a smart, disciplined person could negotiate such passages without losing touch with who he really is.

The newspaper concludes by saying:

Senator Ford has done that.

That is, he has negotiated these difficult passages and he has not lost touch with the people of the State of Kentucky.

Those of us who know WENDELL FORD can attest to his honor and to his sincerity. His rise from the Kentucky State Senate to Lieutenant Governor to the 49th Governor of the Commonwealth of Kentucky to now a U.S. Senator and the assistant leader of the Senate has never distracted the person WENDELL FORD from the man he is—his own man, someone who has never forgotten his roots.

In our Senate Democratic leadership meetings, Senator FORD is one who can always bring the discussion back to where we should be. His commonsense approach to legislation and politics is refreshing to me and should be reassuring not only to the people of Kentucky but to this country.

WENDELL FORD can be compassionate because, Mr. President, he is a compassionate man. He can be very tough because, Mr. President, he is a tough man. He can be very sincere because he is, Mr. President, a sincere man. WENDELL FORD has in his quiver many arrows. Yes, compassion, toughness, and sincerity, but I think the arrow that he carries around that we all rely on is the wisdom that has developed in the person of WENDELL FORD.

WENDELL FORD is truly one of the Senate's great talents, but one of his great talents is in the finest traditions of the Senate Chamber: his mastery of the negotiation of compromise. He is able to do this because he is respected, he is trusted, and, as I already indicated, he is honorable.

This Senate will be lesser when WENDELL FORD returns to his native Kentucky, but his quarter century of service to his State and to the Nation will stand as a legacy to be remembered and honored.

Mr. President, I am grateful to have served with WENDELL FORD. My wife Landra and I appreciate Jean, his lovely wife, and their—WENDELL's and Jean's—love of their family and their love of the Senate family. I personally honor his wisdom, his humor, and his compassion. In an age of cynicism, I really appreciate WENDELL FORD's down-home sincerity. It has inspired me. And it should inspire us all.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I have enjoyed the remarks by those on the other side of the aisle on behalf of Senator FORD of Kentucky. And indeed, he has been a very large figure here in the U.S. Senate for many, many years. It is very appropriate that he has been honored by his side of the aisle.

Mr. KENNEDY. Mr. President, it is a privilege to pay tribute today to our outstanding colleague from Kentucky, WENDELL FORD, as he reaches an historic milestone and becomes the longest serving Senator in the history of the Commonwealth of Kentucky.

Our colleague's service to Kentucky, to the Senate, and to the nation has been outstanding through all these years, and it continues to be outstanding today. As our Whip since 1990, he is an essential part of the Senate's leadership team and deserves a great deal of the credit for the legislative achievements of our Party and of the Senate as a whole.

As a legislator, our colleague has consistently earned high marks for his brilliant service to Kentucky and the country. He has earned the respect of all of us on both sides of the aisle for his skill and warm sense of humor in debate, and for his leadership on a wide range of issues, especially in areas such as aviation, education, telecommunications, the environment, election reform, and the many issues of vital importance to Kentucky and to all of rural America.

I recall that a Ford Fellow Scholarship Fund was established last year in Kentucky in his honor, and I am sure that in the years ahead, the Ford Fellows will carry on the high standards that our colleague has so consistently set for excellence in education.

All of us regret that our highly regarded colleague has chosen not to seek re-election to the Senate this fall. It is no accident that he is the longest-serving Senator in the history of his state. The stratospheric victory margins he has compiled in his many election successes during his brilliant career show that his seat in the Senate is secure against any challenge, and are the highest possible tribute to the respect and affection in which he is held in his state.

That long-standing success is no easy achievement. I'm reminded of the famous lines by Kentucky's Irish poet, James Mulligan:

The moonlight falls the softest in Kentucky;  
The bluegrass waves the bluest;  
The songbirds are the sweetest;  
The thoroughbreds are the finest;  
The landscape is the grandest—  
And politics the damndest in Kentucky.

I know that the people of Kentucky will miss Senator FORD in the Senate, and so will all of us in this body. We're proud of his leadership and honored by his statesmanship, but most of all, we're grateful for his friendship.

By Ms. SNOWE (for herself and Mr. D'AMATO):

S. 1757. A bill to amend the Public Health Service Act to extend the program of research on breast cancer; to the Committee on Labor and Human Resources.

#### THE BREAST CANCER RESEARCH EXTENSION ACT OF 1998

Ms. SNOWE. Mr. President, I rise today to introduce legislation which will authorize breast cancer research funding at a record level.

Over the past seven years, Congress has demonstrated an increased commitment to the fight against breast cancer. Back in 1991, less than \$100 million dollars was spent on breast cancer research. Since then, Congress has steadily increased this allocation. These increases have stimulated new and exciting research that has begun to unravel the mysteries of this devastating disease and is moving us closer to a cure. Today, we must send a message through our authorization level to scientists and research policy makers that we are committed to continued funding for this important research.

This increase in funding is necessary because breast cancer has reached crisis levels in America. In 1998, it is estimated that 178,700 new cases of breast cancer will be diagnosed in this country, and 43,500 women will die from this disease. Breast cancer is the most common form of cancer and the second leading cause of cancer deaths among American women. Today, over 2.6 million American women are living with this disease. In my home state of Maine, it is the most commonly-diagnosed cancer among women, representing more than 30 percent of all new cancers in Maine women.

In addition to these enormous human costs, breast cancer also exacts a heavy financial toll—over \$6 billion of our health care dollars are spent on breast cancer annually.

Today, however, there is cause for hope. Recent scientific progress made in the fight to conquer breast cancer is encouraging. Researchers have isolated the genes responsible for inherited breast cancer, and are beginning to understand the mechanism of the cancer cell itself. It is imperative that we capitalize upon these advances by continuing to support the scientists investigating this disease and their innovative research.

For this reason, my bill increases the FY99 funding authorization level for breast cancer research to \$650 million. This level represents the funding level scientists believe is necessary to make progress against this disease. It also reflects the 11 percent increase that the Administration requested for NIH funding. This increased funding will contribute substantially toward solving the mysteries surrounding breast cancer. Our continued investment will save countless lives and health care dollars, and prevent undue suffering in millions of American women and families.

On behalf of the 2.6 million women living with breast cancer, I urge my colleagues to support this important bill.

By Mr. LUGAR (for himself, Mr. BIDEN, Mr. CHAFEE, Mr. LEAHY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. CRAIG, Mr. COCHRAN, Mr. DEWINE, Mr. GLENN, Mr. HARKIN, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Mr. KEMPTHORNE, Mr. LEVIN, Mr. MOYNIHAN, and Mr. MURKOWSKI):

S. 1758. A bill to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests; to the Committee on Foreign Relations.

#### THE TROPICAL FOREST CONSERVATION ACT OF 1998

Mr. LUGAR. Mr. President, along with Senators BIDEN, CHAFEE and LEAHY, I am today introducing the Tropical Forest Conservation Act of 1998, a bill to protect outstanding tropical forests in developing countries through Debt for Nature Swaps. We are joined in this effort by Senators ABRAHAM, AKAKA, ALLARD, COCHRAN, CRAIG, DEWINE, GLENN, HARKIN, INHOFE, JEFFORDS, JOHNSON, KEMPTHORNE, KERREY, KERRY, LEVIN, MOYNIHAN, and MURKOWSKI.

The Tropical Forest Conservation Act builds upon the success of President Bush's Enterprise for the Americas Initiative (EAI) and extends the debt reduction portion of that initiative to the protection of tropical forests in lower and middle income developing countries outside of Latin America and the Caribbean.

Under the EAI, \$154 million has been devoted to environmental protection and child survival in Argentina, Bolivia, Chile, Colombia, El Salvador, Jamaica and Uruguay. One of the novel features of the EAI has been the linkage between debt reduction and the generation of local funds for the environmental protection and child survival. Whereas the U.S. receives dollar payments for the remaining principal payments after debt reduction, interest streams on the remaining debt are channeled into these local funds.

The first Debt for Nature bill enacted into law was the "Debt for Nature Exchange" provision of the International Finance and Development Act of 1989. Under the authority of the BIDEN LUGAR bill, the U.S. Agency for International Development has established environmental endowment funds in Costa Rica, Honduras, Indonesia, Jamaica, Madagascar, Mexico, Panama, and the Philippines. By committing \$ 95 million of its own funds, US AID has leveraged an additional \$51 million. This is an effective use of scarce federal conservation dollars.

The Tropical Forest Conservation Act of 1998 is a companion bill to H.R. 2870, coauthored by Representatives ROB PORTMAN (R-Ohio), JOHN KASICH (R-Ohio) and LEE HAMILTON (R-Indiana), which was recently ordered to be reported by the House International Relations Committee.

The Tropical Forest Conservation Act of 1998 would authorize the use of three "debt for nature" mechanisms to protect outstanding tropical forests in lower and middle income developing countries.

Under the Buy Back option, an eligible country would be able to buy back its debt at its asset value in exchange for its willingness to place an additional forty percent of this value in local currency in a tropical forest fund. Suppose, for example, that the asset value of the country's debt was fifty cents on the dollar. In return for being allowed to buy back its debt at its asset value, the developing country would have to agree to place forty percent of that value, or twenty cents, into a fund to protect its tropical forests.

Under this option, there would be no cost to the United States Government since the debt is being bought back at its value as determined under the Federal Credit Reform Act of 1990.

Second, the bill authorizes a Debt Swap option under which a nonfederal individual or organization would be able to engage in Debt for Nature Swaps with lower income developing nations. These purchasers would work with the United States government, but would use their own funds to assist these developing countries to reduce or buy back their bilateral debt owed to the United States Government in return for their placing local currencies in a tropical forest fund.

Under this second option, there would also be no cost to the United States Government because the financial assistance involved would come from nongovernmental or private entities.

Third, the bill authorizes a debt reduction mechanism based upon the Enterprise for the Americas Initiative. Under the EAI Model, the developing country is allowed to place the interest on the reduced debt instrument in a tropical forest fund to be administered by a tropical forest board within that country.

When the third option is exercised, the bill authorizes appropriations to

compensate the United States Treasury for the reduction in the revenue stream which occurs. However, as in the case of the EAI, these funds would be effectively leveraged because the amounts placed by a eligible country in its tropical forest fund would exceed the amount of revenues foregone by the United States Treasury. For example, in the case of the EAI, \$90 million in U.S. funds resulted in \$154 million being placed by the Latin American and Caribbean countries in these local funds.

The Tropical Forest Conservation Act applies to concessional loans made under the Foreign Assistance Act of 1961 and credits granted under the Agricultural Trade and Assistance Act of 1954. It is consistent with established Treasury Department debt reduction practices as well as with the Federal Credit Reform Act of 1990.

The bill authorizes \$50 million in FY 99, \$125 million in FY 2000 and \$225 million in FY 2001, subject to appropriations.

Within each developing country, the tropical forest fund would be administered by a commission representing a majority of local nongovernmental, community development and scientific and academic organizations, representatives of the host government and a representative of the United States Government.

The tropical forest fund could be used to provide grants for the following purposes:

(1) to preserve, maintain or restore the tropical forest of the beneficiary country through establishing parks and reserves;

(2) to develop and implement scientifically sound systems of natural resource management;

(3) to provide training programs to strengthen conservation institutions and the scientific, technical and managerial capacities of individuals and organizations involved in conservation;

(4) to provide for restoration, protection and sustainable use of diverse animal and plant species;

(5) to mitigate greenhouse gases in the atmosphere;

(6) to develop and support individuals living in or near a tropical forest, including the cultures of such individuals.

Oversight of this program would be accomplished through expanding the existing Enterprise for the Americas Board by two federal and two nongovernmental representatives so that the Board would be composed of fifteen members, eight of whom would represent federal agencies involved in the protection, restoration and sustainable use of tropical forests and seven of whom would represent nongovernmental organizations and experts engaged in these activities.

This legislation provides an incentive for the lower income developing nations to repay their debt owed to the United States Government. It protects outstanding tropical forests through-

out the world. And it stretches the limited federal dollars which are available to assist in this effort, therefor making an effective use of international environmental assistance.

I ask unanimous consent that a copy of the bill be printed in the RECORD. I urge my colleagues to join in this effort.

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

S. 1758

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

**SECTION 1. DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH TROPICAL FORESTS.**

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:

**"PART V—DEBT REDUCTION FOR DEVELOPING COUNTRIES WITH TROPICAL FORESTS**

**"SEC. 801. SHORT TITLE.**

"This part may be cited as the 'Tropical Forest Conservation Act of 1998'.

**"SEC. 802. FINDINGS AND PURPOSES.**

"(a) FINDINGS.—The Congress finds the following:

"(1) It is the established policy of the United States to support and seek protection of tropical forests around the world.

"(2) Tropical forests provide a wide range of benefits to humankind by—

"(A) harboring a major share of the Earth's biological and terrestrial resources, which are the basis for developing pharmaceutical products and revitalizing agricultural crops;

"(B) playing a critical role as carbon sinks in reducing greenhouse gases in the atmosphere, thus moderating potential global climate change; and

"(C) regulating hydrological cycles on which far-flung agricultural and coastal resources depend.

"(3) International negotiations and assistance programs to conserve forest resources have proliferated over the past decade, but the rapid rate of tropical deforestation continues unabated.

"(4) Developing countries with urgent needs for investment and capital for development have allocated a significant amount of their forests to logging concessions.

"(5) Poverty and economic pressures on the populations of developing countries have, over time, resulted in clearing of vast areas of forest for conversion to agriculture, which is often unsustainable in the poor soils underlying tropical forests.

"(6) Debt reduction can reduce economic pressures on developing countries and result in increased protection for tropical forests.

"(b) PURPOSES.—The purposes of this part are—

"(1) to recognize the values received by United States citizens from protection of tropical forests;

"(2) to facilitate greater protection of tropical forests (and to give priority to protecting tropical forests with the highest levels of biodiversity and under the most severe threat) by providing for the alleviation of debt in countries where tropical forests are located, thus allowing the use of additional resources to protect these critical resources and reduce economic pressures that have led to deforestation;

"(3) to ensure that resources freed from debt in such countries are targeted to protection of tropical forests and their associated values; and

"(4) to rechannel existing resources to facilitate the protection of tropical forests.

**"SEC. 803. DEFINITIONS.**

"As used in this part:

"(1) **ADMINISTERING BODY.**—The term 'administering body' means the entity provided for in section 809(c).

"(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term 'appropriate congressional committees' means—

"(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

"(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

"(3) **BENEFICIARY COUNTRY.**—The term 'beneficiary country' means an eligible country with respect to which the authority of section 806(a)(1), section 807(a)(1), or paragraph (1) or (2) of section 808(a) is exercised.

"(4) **BOARD.**—The term 'Board' means the board referred to in section 811.

"(5) **DEVELOPING COUNTRY WITH A TROPICAL FOREST.**—The term 'developing country with a tropical forest' means—

"(A)(i) a country that has a per capita income of \$725 or less in 1994 United States dollars (commonly referred to as 'low-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; or

"(ii) a country that has a per capita income of more than \$725 but less than \$8,956 in 1994 United States dollars (commonly referred to as 'middle-income country'), as determined and adjusted on an annual basis by the International Bank for Reconstruction and Development in its World Development Report; and

"(B) a country that contains at least one tropical forest that is globally outstanding in terms of its biological diversity or represents one of the larger intact blocks of tropical forests left, on a continental or global scale.

"(6) **ELIGIBLE COUNTRY.**—The term 'eligible country' means a country designated by the President in accordance with section 805.

"(7) **TROPICAL FOREST AGREEMENT.**—The term 'Tropical Forest Agreement' or 'Agreement' means a Tropical Forest Agreement provided for in section 809.

"(8) **TROPICAL FOREST FACILITY.**—The term 'Tropical Forest Facility' or 'Facility' means the Tropical Forest Facility established in the Department of the Treasury by section 804.

"(9) **TROPICAL FOREST FUND.**—The term 'Tropical Forest Fund' or 'Fund' means a Tropical Forest Fund provided for in section 810.

**"SEC. 804. ESTABLISHMENT OF THE FACILITY.**

"There is established in the Department of the Treasury an entity to be known as the 'Tropical Forest Facility' for the purpose of providing for the administration of debt reduction in accordance with this part.

**"SEC. 805. ELIGIBILITY FOR BENEFITS.**

"(a) **IN GENERAL.**—To be eligible for benefits from the Facility under this part, a country shall be a developing country with a tropical forest—

"(1) whose government meets the requirements applicable to Latin American or Caribbean countries under paragraphs (1) through (5) and (7) of section 703(a) of this Act; and

"(2) that has put in place major investment reforms, as evidenced by the conclusion of a bilateral investment treaty with the United States, implementation of an investment sector loan with the Inter-American Development Bank, World Bank-supported investment reforms, or other measures, as appropriate.

"(b) **ELIGIBILITY DETERMINATIONS.**—

"(1) **IN GENERAL.**—Consistent with subsection (a), the President shall determine

whether a country is eligible to receive benefits under this part.

"(2) **CONGRESSIONAL NOTIFICATION.**—The President shall notify the appropriate congressional committees of his intention to designate a country as an eligible country at least 15 days in advance of any formal determination.

**"SEC. 806. REDUCTION OF DEBT OWED TO THE UNITED STATES AS A RESULT OF CONCESSIONAL LOANS UNDER THE FOREIGN ASSISTANCE ACT OF 1961.**

"(a) **AUTHORITY TO REDUCE DEBT.**—

"(1) **AUTHORITY.**—The President may reduce the amount owed to the United States (or any agency of the United States) that is outstanding as of January 1, 1998, as a result of concessional loans made to an eligible country by the United States under part I of this Act, chapter 4 of part II of this Act, or predecessor foreign economic assistance legislation.

"(2) **AUTHORIZATION OF APPROPRIATIONS.**—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to this section, there are authorized to be appropriated to the President—

"(A) \$25,000,000 for fiscal year 1999;

"(B) \$75,000,000 for fiscal year 2000; and

"(C) \$100,000,000 for fiscal year 2001.

"(3) **CERTAIN PROHIBITIONS INAPPLICABLE.**—

"(A) **IN GENERAL.**—A reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

"(B) **ADDITIONAL REQUIREMENT.**—The authority of this section may be exercised notwithstanding section 620(r) of this Act or section 321 of the International Development and Food Assistance Act of 1975.

"(b) **IMPLEMENTATION OF DEBT REDUCTION.**—

"(1) **IN GENERAL.**—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in subsection (a) outstanding as of the date specified in subsection (a)(1).

"(2) **EXCHANGE OF OBLIGATIONS.**—

"(A) **IN GENERAL.**—The Facility shall notify the agency primarily responsible for administering part I of this Act of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

"(B) **ADDITIONAL REQUIREMENT.**—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation for the country shall be established relating to the agreement, and the agency primarily responsible for administering part I of this Act shall make an adjustment in its accounts to reflect the debt reduction.

"(c) **ADDITIONAL TERMS AND CONDITIONS.**—The following additional terms and conditions shall apply to the reduction of debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 704(a)(1) of this Act:

"(1) The provisions relating to repayment of principal under section 705 of this Act.

"(2) The provisions relating to interest on new obligations under section 706 of this Act.

**"SEC. 807. REDUCTION OF DEBT OWED TO THE UNITED STATES AS A RESULT OF CREDITS EXTENDED UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.**

"(a) **AUTHORITY TO REDUCE DEBT.**—

"(1) **AUTHORITY.**—Notwithstanding any other provision of law, the President may reduce the amount owed to the United States (or any agency of the United States) that is

outstanding as of January 1, 1998, as a result of any credits extended under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.) to a country eligible for benefits from the Facility.

"(2) **AUTHORIZATION OF APPROPRIATIONS.**—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to this section, there are authorized to be appropriated to the President—

"(A) \$25,000,000 for fiscal year 1999;

"(B) \$50,000,000 for fiscal year 2000; and

"(C) \$50,000,000 for fiscal year 2001.

"(b) **IMPLEMENTATION OF DEBT REDUCTION.**—

"(1) **IN GENERAL.**—Any debt reduction pursuant to subsection (a) shall be accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in subsection (a) outstanding as of the date specified in subsection (a)(1).

"(2) **EXCHANGE OF OBLIGATIONS.**—

"(A) **IN GENERAL.**—The Facility shall notify the Commodity Credit Corporation of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

"(B) **ADDITIONAL REQUIREMENT.**—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation shall be established for the country relating to the agreement, and the Commodity Credit Corporation shall make an adjustment in its accounts to reflect the debt reduction.

"(c) **ADDITIONAL TERMS AND CONDITIONS.**—The following additional terms and conditions shall apply to the reduction of debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 604(a)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738c):

"(1) The provisions relating to repayment of principal under section 605 of such Act.

"(2) The provisions relating to interest on new obligations under section 606 of such Act.

**"SEC. 808. AUTHORITY TO ENGAGE IN DEBT-FOR-NATURE SWAPS AND DEBT BUYBACKS.**

"(a) **LOANS AND CREDITS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.**—

"(1) **DEBT-FOR-NATURE SWAPS.**—

"(A) **IN GENERAL.**—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser described in subparagraph (B) any concessional loans described in section 806(a)(1) or any credits described in section 807(a)(1), or on receipt of payment from an eligible purchaser described in subparagraph (B), reduce or cancel such loans (or credits) or portion thereof, only for the purpose of facilitating a debt-for-nature swap to support eligible activities described in section 809(d).

"(B) **ELIGIBLE PURCHASER DESCRIBED.**—A loan or credit may be sold, reduced, or canceled under subparagraph (A) only to a purchaser who presents plans satisfactory to the President for using the loan or credit for the purpose of engaging in debt-for-nature swaps to support eligible activities described in section 809(d).

"(C) **CONSULTATION REQUIREMENT.**—Before the sale under subparagraph (A) to any eligible purchaser described in subparagraph (B), or any reduction or cancellation under such subparagraph (A), of any loan or credit made to an eligible country, the President shall consult with the country concerning the amount of loans or credits to be sold, reduced, or canceled and their uses for debt-

for-nature swaps to support eligible activities described in section 809(d).

“(D) AUTHORIZATION OF APPROPRIATIONS.—For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) for the reduction of any debt pursuant to subparagraph (A), amounts authorized to appropriated under sections 806(a)(2) and 807(a)(2) shall be made available for such reduction of debt pursuant to subparagraph (A).

“(2) DEBT BUYBACKS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible country any concessional loans described in section 806(a)(1) or any credits described in section 807(a)(1), or on receipt of payment from an eligible country, reduce or cancel such loans (or credits) or portion thereof, only for the purpose of facilitating a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support eligible activities described in section 809(d).

“(3) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans and credits may be sold, reduced, or canceled pursuant to this section.

“(4) ADMINISTRATION.—

“(A) IN GENERAL.—The Facility shall notify the administrator of the agency primarily responsible for administering part I of this Act or the Commodity Credit Corporation, as the case may be, of eligible purchasers described in paragraph (1)(B) that the President has determined to be eligible under paragraph (1), and shall direct such agency or Corporation, as the case may be, to carry out the sale, reduction, or cancellation of a loan pursuant to such paragraph.

“(B) ADDITIONAL REQUIREMENT.—Such agency or Corporation, as the case may be, shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

“(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

#### “SEC. 809. TROPICAL FOREST AGREEMENT.

“(a) AUTHORITY.—

“(1) IN GENERAL.—The Secretary of State is authorized, in consultation with other appropriate officials of the Federal Government, to enter into a Tropical Forest Agreement with any eligible country concerning the operation and use of the Fund for that country.

“(2) CONSULTATION.—In the negotiation of such an Agreement, the Secretary shall consult with the Board in accordance with section 811.

“(b) CONTENTS OF AGREEMENT.—The requirements contained in section 708(b) of this Act (relating to contents of an agreement) shall apply to a Agreement in the same manner as such requirements apply to an Americas Framework Agreement.

“(c) ADMINISTERING BODY.—

“(1) IN GENERAL.—Amounts disbursed from the Fund in each beneficiary country shall be administered by a body constituted under the laws of that country.

“(2) COMPOSITION.—

“(A) IN GENERAL.—The administering body shall consist of—

“(i) one or more individuals appointed by the United States Government;

“(ii) one or more individuals appointed by the government of the beneficiary country; and

“(iii) individuals who represent a broad range of—

“(I) environmental nongovernmental organizations of, or active in, the beneficiary country;

“(II) local community development nongovernmental organizations of the beneficiary country; and

“(III) scientific or academic organizations or institutions of the beneficiary country.

“(B) ADDITIONAL REQUIREMENT.—A majority of the members of the administering body shall be individuals described in subparagraph (A)(iii).

“(3) RESPONSIBILITIES.—The requirements contained in section 708(c)(3) of this Act (relating to responsibilities of the administering body) shall apply to an administering body described in paragraph (1) in the same manner as such requirements apply to an administering body described in section 708(c)(1) of this Act.

“(d) ELIGIBLE ACTIVITIES.—Amounts deposited in a Fund shall be used to provide grants to preserve, maintain, and restore the tropical forests in the beneficiary country, including one or more of the following activities:

“(1) Establishment, restoration, protection, and maintenance of parks, protected areas, and reserves.

“(2) Development and implementation of scientifically sound systems of natural resource management, including land and ecosystem management practices.

“(3) Training programs to strengthen conservation institutions and increase scientific, technical, and managerial capacities of individuals and organizations involved in conservation efforts.

“(4) Restoration, protection, or sustainable use of diverse animal and plant species.

“(5) Mitigation of greenhouse gases in the atmosphere.

“(6) Development and support of the livelihoods of individuals living in or near a tropical forest, including the cultures of such individuals, in a manner consistent with protecting such tropical forest.

“(e) GRANT RECIPIENTS.—

“(1) IN GENERAL.—Grants made from a Fund shall be made to—

“(A) nongovernmental environmental, conservation, and indigenous peoples organizations of, or active in, the beneficiary country;

“(B) other appropriate local or regional entities of, or active in, the beneficiary country; and

“(C) in exceptional circumstances, the government of the beneficiary country.

“(2) PRIORITY.—In providing grants under paragraph (1), priority shall be given to projects that are run by nongovernmental organizations and other private entities and that involve local communities in their planning and execution.

“(f) REVIEW OF LARGER GRANTS.—Any grant of more than \$100,000 from a Fund shall be subject to veto by the Government of the United States or the government of the beneficiary country.

“(g) ELIGIBILITY CRITERIA.—In the event that a country ceases to meet the eligibility requirements set forth in section 805(a), as determined by the President pursuant to section 805(b), then grants from the Fund for that country may only be made to nongovernmental organizations until such time as the President determines that such country meets the eligibility requirements set forth in section 805(a).

#### “SEC. 810. TROPICAL FOREST FUND.

“(a) ESTABLISHMENT.—Each beneficiary country that enters into a Tropical Forest

Agreement under section 809 shall be required to establish a Tropical Forest Fund to receive payments of interest on new obligations undertaken by the beneficiary country under this part.

“(b) REQUIREMENTS RELATING TO OPERATION OF FUND.—The following terms and conditions shall apply to the Fund in the same manner as such terms as conditions apply to an Enterprise for the Americas Fund under section 707 of this Act:

“(1) The provision relating to deposits under subsection (b) of such section.

“(2) The provision relating to investments under subsection (c) of such section.

“(3) The provision relating to disbursements under subsection (d) of such section.

#### “SEC. 811. BOARD.

“(a) ENTERPRISE FOR THE AMERICAS BOARD.—The Enterprise for the Americas Board established under section 610(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(a)) shall, in addition to carrying out the responsibilities of the Board under section 610(c) of such Act, carry out the duties described in subsection (c) of this section for the purposes of this part.

“(b) ADDITIONAL MEMBERSHIP.—

“(1) IN GENERAL.—The Enterprise for the Americas Board shall be composed of an additional four members appointed by the President as follows:

“(A) Two representatives from the United States Government, including a representative of the International Forestry Division of the United States Forest Service.

“(B) Two representatives from private nongovernmental environmental, scientific, and academic organizations with experience and expertise in preservation, maintenance, and restoration of tropical forests.

“(2) CHAIRPERSON.—Notwithstanding section 610(b)(2) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738i(b)(2)), the Enterprise for the Americas Board shall be headed by a chairperson who shall be appointed by the President from among the representatives appointed under section 610(b)(1)(A) of such Act or paragraph (1)(A) of this subsection.

“(c) DUTIES.—The duties described in this subsection are as follows:

“(1) Advise the Secretary of State on the negotiations of Tropical Forest Agreements.

“(2) Ensure, in consultation with—

“(A) the government of the beneficiary country,

“(B) nongovernmental organizations of the beneficiary country,

“(C) nongovernmental organizations of the region (if appropriate),

“(D) environmental, scientific, and academic leaders of the beneficiary country, and

“(E) environmental, scientific, and academic leaders of the region (as appropriate), that a suitable administering body is identified for each Fund.

“(3) Review the programs, operations, and fiscal audits of each administering body.

#### “SEC. 812. CONSULTATIONS WITH THE CONGRESS.

“The President shall consult with the appropriate congressional committees on a periodic basis to review the operation of the Facility under this part and the eligibility of countries for benefits from the Facility under this part.

#### “SEC. 813. ANNUAL REPORTS TO THE CONGRESS.

“(a) IN GENERAL.—Not later than December 31 of each fiscal year, the President shall prepare and transmit to the Congress an annual report concerning the operation of the Facility for the prior fiscal year. Such report shall include—

“(1) a description of the activities undertaken by the Facility during the previous fiscal year;

"(2) a description of any Agreement entered into under this part;

"(3) a report on any Funds that have been established under this part and on the operations of such Funds; and

"(4) a description of any grants that have been provided by administering bodies pursuant to Agreements under this part.

"(b) SUPPLEMENTAL VIEWS IN ANNUAL REPORT.—Not later than December 15 of each fiscal year, each member of the Board shall be entitled to receive a copy of the report required under subsection (a). Each member of the Board may prepare and submit supplemental views to the President on the implementation of this part by December 31 for inclusion in the annual report when it is transmitted to Congress pursuant to this section."

Mr. BIDEN. Mr. President, I am pleased to join today with my good friend, the distinguished senior Senator from Indiana, to introduce important legislation that will benefit all Americans by helping—in important ways—both our global environment and our global economy.

I first became interested in this issue almost ten years ago, when the world's attention was focused on an international debt crisis, much of it centered in Latin American countries. At that same time, we were beginning to understand the crucial role that tropical rainforests—all over the world—play in our own lives here in the United States.

Tropical rainforests are among the most complex and fundamental components of our planet's ecology. These natural wonders affect the global climate through their influence on rainfall patterns, which in turn makes them the sources of some of the world's greatest rivers, which in its turn affects farmlands and coastal fisheries all over the world.

Tropical rainforests are also the richest environments for all forms of life—they harbor the greatest biodiversity of any ecosystem. With increasing frequency, we find there the chemicals that go into new medicines, more robust food crops, and other direct economic applications of the rainforests' riches.

We may picture rainforests as among the most primitive environments—with climate and wildlife left over from the beginnings of time. But it is only now, with the accelerating integration of the global economy and the realization that burning fossil fuels can alter our planet's weather, that we recognize that rainforests must be preserved if we want to protect our modern way of life.

The accumulation of over one hundred years of man-made greenhouse gases from the industrial world is now joined by the increasing emissions of industrializing nations, accelerating the threat of global climate change. Rainforests absorb the carbon dioxide that can change our climate, and that would change every assumption we have about how what our future will be.

But these crucially important rainforests are under increasing threat

from fundamental trends in our international economy. As the nations whose borders contain important rainforests take their place in the world market, they face increasing incentives to turn their rainforests into cash crops—cutting them for lumber, clearing them for croplands—trading the long-term global benefits of rainforests for short-term needs.

Not just the lumber and agricultural markets offer short-term local gains in exchange for long-term global costs. The explosion of international capital flows has brought the benefits and dangers of debt to many nations with rainforests. To manage debt owed to nations such as the United States, these nations turn to their rainforests for quick cash. However appropriate their borrowing may be—who among us here does not use debt to finance a house, a car, an education?—that choice has consequences for the whole planet.

So we have the convergence of two important global trends—the cutting of rainforests, and the spread of international debt.

Ten years ago, when these trends were at a much earlier stage, I brought the idea of debt-for-nature swaps to Senator LUGAR, who agreed that we faced a classic public policy problem: short-term, local incentives to engage in behavior that has long-term, global costs. That is why we introduced the first legislation that facilitated debt-for-nature swaps. That legislation was signed into law in 1989.

The following year, we made debt-for-nature swaps part of President Bush's Enterprise for the Americas Act. Since then, \$154 million in developing country debt has been restructured into environmental protection programs in Latin America.

The legislation I am introducing here today, with Senator LUGAR, Senator CHAFEE, Senator LEAHY, and my other distinguished colleagues, will expand the techniques of debt-for-nature exchanges to meet a wider variety of financial situations, and will include qualified countries in every part of the world.

In essence, we arrange for the repayment of sovereign debt owed by qualified countries to the United States, in exchange for their commitment to use the savings to establish local trust funds to protect their rainforests. We gain the environmental protection that would otherwise not occur, they reduce their foreign exchange and debt burdens. It's a classic win-win deal.

Two of the options allow us to transform debt owed to the United States into funds to protect the world's rainforests at no cost to the Treasury. The third option, for the poorest nations of the world, provides funds to subsidize the debt exchange—and the rainforest protection—that they could not otherwise afford.

As we watch with concern the developments in Asia, Mr. President, we see

the importance of far-sighted, creative debt management programs for developing economies. The accumulation of unmanageable debt burdens threatens both the stability of the international economy and the health of our planet's ecology.

At the margin, but in important ways, the legislation we are introducing today addresses both of those concerns, and weakens the link between the burden of developing country debt and the wasting of our rainforests.

I am pleased to see that the House companion to this legislation is already moving in the International Relations Committee. I look forward to working with Senator LUGAR and all my colleagues on both sides of the aisle here in the Senate.

Mr. CHAFEE. Mr. President, I am pleased to be here today with my distinguished colleagues to introduce the Tropical Forest Conservation Act of 1998. This bipartisan legislation addresses one of the most important global environmental issues today—the protection and preservation of tropical rain forests.

Since 1950 the world has lost as much as half of its tropical forests, and the destruction is continuing unabated. The most comprehensive survey of global deforestation estimated that, last year alone, we lost more than 30 million acres of tropical rain forest—an area the size of the State of Washington. This is a devastating loss because of the potential biological impacts deforestation can have both regionally and globally.

Tropical forests contain the world's richest stores of biological diversity, and their health is essential for life on Earth. Scientists estimate that more than 50 percent of the Earth's terrestrial biological diversity is contained within these forests, which account for less than 2 percent of the planet's land surface. Almost 40 percent of all terrestrial plants and at least 25 percent of terrestrial vertebrate species are endemic to these areas. That is, they are found nowhere else on Earth. Consider that in the Tropical Andes region alone, there are 320 species of endemic birds, 558 species of endemic reptiles and amphibians, and 20,000 species of endemic plants. Moreover, many of these species are found only in a small area of the forests. And as the forests are destroyed, Mr. President, the species are permanently lost through extinction.

Tropical forests also function as carbon "sinks," storing greenhouse gases that could otherwise contribute to global climate change. While there are still many scientific uncertainties related to climate change, it is undeniable that atmospheric carbon dioxide levels are rising rapidly. A significant number of scientists believe that humans have already influenced our global climate. In order to lessen the risks associated with this change, such as sea level rise, extreme weather conditions, and higher average temperatures, it is important that the United

States join with other nations to take preventative action. Protecting our tropical rain forests, and thus preserving their vital function of reducing greenhouse gases in the atmosphere, is one such action.

These forests are important to human health in other ways. They harbor many of the biological resources that are used in life-saving medicines, and provide the genetic sources to revitalize agricultural crops that supply most of the world's food. They significantly affect rainfall, and therefore the health of crops and coastal resources worldwide.

Many of the world's tropical forests are located in developing countries that, since the international debt crisis of the 1970s, have been unable to repay loans to foreign lenders. These countries are in need of hard currency, and to come up with cash, they have resorted to exploiting their natural resources with little regard for environmental planning. Vast areas of tropical forests are destroyed each year for logging, agriculture and livestock operations. This trend will continue as debt continues to mount.

Mr. President, the Tropical Forest Conservation Act would help turn the tide against this deforestation. This legislation builds upon President Bush's Enterprise for the Americas Initiative, or EAI. EAI created a system by which Latin American and Caribbean governments could restructure some of their official debt to the United States, while channeling local currency into funds to support environmental and child development programs.

Using so-called "debt-for-nature swaps," EAI restructured bilateral debt to provide \$154 million to environmental trust funds in Latin America. Under these swaps, a nation's debt is modified, rescheduled, or written off, in return for the borrower nation's commitment of its own currency towards local conservation. The legislation before us today would utilize this same principle, but would focus exclusively on tropical forest conservation and extend eligibility to include countries in Africa and Asia.

The Tropical Forest Conservation Act would authorize \$325 million over three years to be used for debt-for-nature swaps with developing countries that have forests with the greatest biodiversity and the highest risk of threat. The bill assists countries with tropical forests that are globally outstanding in terms of their biodiversity, and applies to any lesser developed country with tropical forests and qualified U.S. debt. The authorized amount would be used to compensate the Treasury Department for any revenues lost due to the restructuring of outstanding debt.

This legislation gives the President authority to reduce debt owed to the United States as a result of any credit extended through specific loan programs. In exchange, the developing

countries would establish funds in their local currency to preserve and restore tropical forests. To ensure accountability, funds shall be administered and overseen by U.S. Government officials, environmental nongovernmental organizations active in the beneficiary country, and scientific or academic organizations.

To qualify for assistance, countries must meet the criteria established by Congress under EAI, including that the government must be democratically elected, has not provided support for acts of international terrorism, is not failing to cooperate on international narcotics control matters, and does not participate in a consistent pattern of gross violations of internationally recognized human rights.

Mr. President, I believe this is an important bill that, if passed, will go a long way to helping protect some of the world's most ecologically sensitive and vital areas. The Tropical Forest Conservation Act promotes debt reduction, investment reforms, community based conservation, and sustainable use of the environment. It has the support of numerous environmental organizations, including Conservation International, the Nature Conservancy, and the World Wildlife Fund. I urge my colleagues here in the Senate to support the legislation as well.

Mr. LEAHY. Mr. President, I am pleased to join Senators LUGAR, BIDEN, and CHAFEE in introducing the "Tropical Forest Conservation Act of 1998." This legislation embodies a motto we take to heart in Vermont: "Act Locally, Think Globally." From our campaign to ban landmines, Vermonters again learned the power of this maxim.

Vermonters understand the social, economic and environmental impacts of deforestation. We started this century with 75 percent of Vermont forestland cleared for agriculture. Today, more than 80 percent of Vermont is forested. Rebuilding our forests and the Vermont tradition of living close to the land has helped Vermonters recognize that our healthy forests are a valued legacy which holds the key to achieving prosperity. This is the purpose of the Tropical Forest Conservation Act of 1998.

The Tropical Forest Conservation Act will authorize more than \$350 million over three years to enable developing countries to restructure their debt and use the new resources to protect their tropical forests. The Tropical Forest Conservation Act of 1998 gives each country the power to protect its own resources without having to risk the health of its forests.

Many developing countries have resorted to rapid development, including clear-cutting and slash-and-burn striping of tropical forests, as ways to try to escape their debts. These forests contain a majority of the Earth's biological resources which provide the ingredients for many lifesaving medicines as well as providing us with the genetic sources to maintain healthy agricultural crops.

Protection of these tropical forests also gives us with an opportunity to address one of the most critical global environmental issues facing us in the next century—global climate change. These forests serve important carbon sinks which store greenhouse gases and help regulate global temperatures.

If we are going to reap these benefits though, we have to let nature do its work. This requires creative approaches to offer incentives to these developing countries to conserve forest resources for theirs, and our, children and grandchildren. The Tropical Forest Conservation Act will help stem the rapid rate of deforestation and degradation of these sensitive ecosystems.

As a Vermonter, I respect the importance of forests and the tough decisions which often have to be made in order to preserve them. I believe that this bill will make those tough decisions easier for countries which possess some of our world's most precious resources—tropical forests.

By Mr. HATCH (for himself, Mr. CAMPBELL, Mr. MCCAIN, Mr. ABRAHAM, Mr. DOMENICI, Mr. GRASSLEY, and Mrs. HUTCHISON):

S. 1759. A bill to grant a Federal charter to the American GI Forum of the United States; to the Committee on the Judiciary.

THE AMERICAN G.I. FORUM FEDERAL CHARTER  
ACT OF 1998

Mr. HATCH. Mr. President, I rise today, on behalf of myself and a number of my colleagues—Senators CAMPBELL, MCCAIN, ABRAHAM, DOMENICI, GRASSLEY, and HUTCHISON—to introduce a bill to grant a federal charter to the American GI Forum a National Veterans Family Organization.

The American GI Forum, a nonprofit Section 501(c)(4) corporation, was founded on March 26, 1948, in Corpus Christi, Texas by the late Dr. Hector P. Garcia, a medical doctor who was an Army veteran of World War II, and other visionary Mexican American veterans. This year, 1998, the American GI Forum will celebrate its 50th Year of service to our Nation's veterans and their families. Then, as now, the American GI Forum is dedicated to addressing issues affecting Hispanic veterans and their families.

As the American GI Forum enters its 50th Year, we believe it is fitting to secure passage of this important legislation which would recognize and grant the American GI Forum a federal charter. A federal charter is an honorary recognition that does not convey any special status or authority. However, within the veterans community a federal charter is deemed to be recognition of a national veterans organization's commitment and service to our nation's veterans. Also, other entities sometimes distinguish between Veterans Service Organizations which are congressionally-chartered and those which are not. For example, the web

page of the House Committee on Veterans' Affairs separately lists "Congressional-Chartered Veterans Service Organizations" and "Other Veterans Service organizations and Military Associations" (<http://www.house.gov/va/vetlinks.htm>).

A congressional charter would prove an appropriate tribute to the selfless sacrifices and tireless work of their beloved Founder, Dr. Garcia, and the countless Hispanic Americans who have answered and continue to answer America's call to fight for and defend the freedom of all Americans. Having earned the highest number of medals of honor per capita, Hispanic Americans have a distinguished record of valor and patriotism.

Today, the American GI Forum has more than 500 chapters in the United States and Puerto Rico. Though predominately Hispanic, the AGIF is open to all veterans and their families. The organization is comprised of three elements—the Veterans Forum, the Women's Forum, and the Youth Forum. On a local level, American GI Forum chapters function under a regional and/or a state structure. The elected officers of each state organization serve as members of the National Board of Directors. The National Commander and other National officers are elected at our National Convention and are also members of the National Board of Directors.

The patriotism of this community, and their willingness to make daily sacrifices and even the ultimate sacrifice to preserve the freedoms we all enjoy is inspiring, and deserves our support, recognition and gratitude. On behalf of my colleagues and myself, I urge you to join us in sponsoring this legislation to grant a federal charter to this deserving organization.

By Mr. LEVIN:

S. 1760. A bill to amend the National Sea Grant College Program Act to clarify the term Great Lakes; to the Committee on Commerce, Science, and Transportation.

#### GREAT LAKES LEGISLATION

Mr. LEVIN. Mr. President, 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. 1760

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

After every place in the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.) where the term Great Lakes appears insert: "and Lake Champlain."

Strike section 203(5) of the National Sea Grant College Program Act (33 U.S.C. 1122) and renumber the following paragraphs accordingly.

#### ADDITIONAL COSPONSORS

S. 61

At the request of Mr. LOTT, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S.

61, a bill to amend title 46, United States Code, to extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

S. 411

At the request of Mrs. HUTCHISON, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes.

S. 1194

At the request of Mr. KYL, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1194, a bill to amend title XVIII of the Social Security Act to clarify the right of medicare beneficiaries to enter into private contracts with physicians and other health care professionals for the provision of health services for which no payment is sought under the medicare program.

S. 1305

At the request of Mr. GRAMM, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1305, a bill to invest in the future of the United States by doubling the amount authorized for basic scientific, medical, and pre-competitive engineering research.

S. 1325

At the request of Mr. FRIST, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1325, a bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

S. 1391

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1391, a bill to authorize the President to permit the sale and export of food, medicines, and medical equipment to Cuba.

At the request of Mr. DODD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1391, *supra*.

S. 1605

At the request of Mr. CAMPBELL, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1605, a bill to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers.

S. 1621

At the request of Mr. GRAMS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1621, a bill to provide that certain Federal property shall be made available to States for State use before being made available to other entities, and for other purposes.

S. 1711

At the request of Mrs. HUTCHISON, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1711, a bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty tax, to increase the income levels for the 15 and 28 percent tax brackets, to provide a 1-year holding period for long-term capital gains, to index capital assets for inflation, to reduce the highest estate tax rate to 28 percent, and for other purposes.

S. 1737

At the request of Mr. MACK, the names of the Senator from Colorado (Mr. ALLARD), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. 1737, a bill to amend the Internal Revenue Code of 1986 to provide a uniform application of the confidentiality privilege to taxpayer communications with federally authorized practitioners.

#### SENATE CONCURRENT RESOLUTION 78

At the request of Mr. SPECTER, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of Senate Concurrent Resolution 78, a concurrent resolution relating to the indictment and prosecution of Saddam Hussein for war crimes and other crimes against humanity.

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of Senate Concurrent Resolution 78, *supra*.

#### AMENDMENT NO. 1397

At the request of Mr. BYRD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of amendment No. 1397 intended to be proposed to S. 1173, a bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

#### ADDITIONAL STATEMENTS

#### WOMEN'S HEALTH RESEARCH AND PREVENTION AMENDMENTS OF 1998

• Mr. DODD. Mr. President, I wish to express my support for S. 1722, "The Women's Health Research and Prevention Amendments of 1998." I commend Senator FRIST for his introduction of this legislation and am pleased to join him as a co-sponsor.

Women's health programs administered by the National Institutes of Health and the Centers for Disease Control and Prevention play a critical role in ensuring that the extraordinary scientific advances of our nation don't sit on the shelf, but are actually used to improve lives.

The last few years have brought astonishing new developments in women's health research. Medical researchers have now located the genetic mutations that predispose women to certain types of breast cancer—knowledge that may lead to more effective