

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Missouri [Mr. BOND], for Mr. D'AMATO, proposes an amendment numbered 3210.

The amendment is as follows:

On page 3, line 7, strike "implement" and insert "support".

On page 3, line 13, insert "paper and wood products," after "glass,".

On page 3, line 21, strike "July 15, 1998" and insert "December 15, 1998".

On page 4, strike lines 1 and 2, and insert: "access to Japanese markets for consumer photographic film and paper."

In the preamble—

(1) strike the ninth whereas clause; and

(2) in the 11th whereas clause strike "is committed to promote" and insert "promotes".

Amend the title so as to read: "A concurrent resolution calling on Japan to have an open, competitive market for consumer photographic film and paper and other sectors facing market access barriers in Japan."

Mr. BOND. Mr. President, I ask unanimous consent that amendment to the concurrent resolution be agreed to, the resolution, as amended, be agreed to, the amendment to the preamble be agreed to and the preamble, as amended, be agreed to, the title amendment and the title, as amended, be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The amendment (No. 3210) was agreed to.

The concurrent resolution (S. Con. Res. 88), as amended, was agreed to.

The preamble, as amended, was agreed to.

The Concurrent Resolution, with its preamble, reads as follows:

S. CON. RES. 88

Whereas the current financial crisis in Asia underscores the fact that the health of the international economic system depends on open, competitive markets;

Whereas structural reform in Japan is critical to the resolution of the Asian financial crisis;

Whereas for many years the United States Trade Representative has reported to Congress in the National Trade Estimate on numerous barriers to entering and operating in the Japanese market;

Whereas Japan's restrictive policies deny opportunities to United States companies and their workers seeking access to Japanese markets;

Whereas the United States Trade Representative has engaged over the last several years in an intensive review of the Japanese distribution system;

Whereas on June 16, 1996, the United States Trade Representative found that the Government of Japan created and tolerated a market structure that impedes United States exports of consumer photographic film and paper;

Whereas the European Union has sought to remove these same barriers to distribution that restrain European exports to Japan;

Whereas it is important that United States companies and workers not be disadvantaged by other countries following Japan's model of protecting its market through a closed distribution system and other market access barriers;

Whereas the Government of Japan has consistently stated that it is committed to deregulation, transparency, nondiscrimination, and open distribution systems accompanied by vigorous enforcement of competition laws;

Whereas the Government of Japan stated in recent proceedings of the World Trade Organization on consumer photographic film that it promotes distribution policies that make the Japanese market more open to imports and to actively discourage restrictive business practices; and

Whereas fulfilling these public statements would benefit both United States trade and Japanese consumers, significantly raising the standard of living in Japan: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Congress—*

(1) calls upon the Government of Japan to live up to the standards it has set for open competitive markets;

(2) calls upon the Government of Japan to fully support the representations that it made to a dispute settlement panel of the World Trade Organization regarding deregulation, transparency, nondiscrimination, open distribution systems, and vigorous enforcement of competition laws with respect to consumer photographic film and paper as well as other sectors, such as autos and auto parts, glass, paper and wood products, and telecommunications, that face similar market access barriers in Japan;

(3) urges the President, the United States Trade Representative, and other appropriate officers of the executive branch to exercise fully existing authority to achieve these objectives; and

(4) requests the President to report to Congress, not later than December 15, 1998, and not less frequently than every six months thereafter, regarding access to Japanese markets for consumer photographic film and paper.

The title was amended so as to read: "A concurrent resolution calling on Japan to have an open, competitive market for consumer photographic film and paper and other sectors facing market access barriers in Japan."

AUTHORIZING THE ADMINISTRATIVE ASSISTANT TO THE CHIEF JUSTICE TO ACCEPT VOLUNTARY SERVICES

Mr. BOND. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 461, S. 2143.

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

The clerk will report.

The bill clerk read as follows:

A bill (S. 2143) to amend chapter 45 of Title 28, U.S. Code, to authorize the Administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

S. 2143

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

SECTION 1. AUTHORIZATION FOR VOLUNTARY SERVICES.

Section 677 of title 28, United States Code, is amended by adding at the end the following:

"(c)(1) Notwithstanding section 1342 of title 31, the Administrative Assistant, with the approval of the Chief Justice, may accept voluntary personal services to assist with public and visitor programs.

"(2) No person may volunteer personal services under this subsection unless the person has first agreed, in writing, to waive any claim against the United States arising out of or in connection with such services, other than a claim under chapter 81 of title 5.

"(3) No person volunteering personal services under this subsection shall be considered an employee of the United States for any purpose other than for purposes of—

"(A) chapter 81 of title 5; or

"(B) chapter 171 of this title.

"(4) In the administration of this subsection, the Administrative Assistant shall ensure that the acceptance of personal services shall not result in the reduction of pay or displacement of any employee of the Supreme Court."

Mr. BOND. Mr. President, I ask unanimous consent that the committee substitute amendment be agreed to, the bill be considered read the third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

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

The committee amendment was agreed to.

The bill (S. 2143), as amended, was considered read the third time, and passed.

URANIUM HEXAFLUORIDE USED IN RECYCLING

Mr. BOND. Mr. President, I ask unanimous consent that the Senate now turn to S. 2316, introduced yesterday by Senator MCCONNELL.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2316) to require the Secretary of Energy to submit to Congress a plan to ensure that all amounts accrued on the books of the United States Enrichment Corporation for the disposition of depleted uranium hexafluoride will be used to treat and recycle depleted uranium hexafluoride.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3211

Mr. BOND. Mr. President, I send an amendment to the desk on behalf of Senator FORD and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] for Mr. FORD, proposes an amendment numbered 3211.

The amendment is as follows:

On page 2, line 3 strike all after "hexafluoride" and insert the following: consistent with the National Environmental Policy Act.

(b) LIMITATION.—Notwithstanding the privatization of the United States Enrichment

Corporation and notwithstanding any other provision of law (including the repeal of chapters 22 through 26 of the Atomic Energy Act of 1954 (42 U.S.C. 2297 et seq.) made by section 3116(a)(1) of the USEC Privatization Act (104 Stat. 1321-349)), no amounts described in subsection (a) shall be withdrawn from the United States Enrichment Corporation Fund established by section 1308 of the Atomic Energy Act of 1954 (42 U.S.C. 2297b-7) or the Working Capital Account established under section 1316 of the Atomic Energy Act of 1954 (42 U.S.C. 2297b-15) until the date that is 1 year after the date on which the President submits to Congress the budget request for fiscal year 2000.

(c) SENSE OF THE SENATE—It is the Sense of the Senate that Congress should authorize appropriations during fiscal year 2000 in an amount sufficient to fully fund the plan described in subsection (a).

Mr. FORD. Mr. President, I am pleased to join in cosponsoring S. 2316, which earmarks a portion of Treasury funds obtained through the privatization of the United States Enrichment Corporation for the clean up of depleted uranium hexafluoride, or so-called uranium "tails." The legislation earmarks roughly \$335 million for this cleanup, preserving authority to conduct the treatment and recycling of depleted uranium tails.

However, none of the money will be spent unless Congress appropriates such funding. I am pleased that my amendment has been added to this bill which puts the Senate on record in support of fully appropriating funds to implement a cleanup plan to be developed by the Secretary of Energy. It is a two way street, Mr. President. I agree that the Secretary of Energy should immediately develop a plan to clean up the depleted uranium tails. But I also believe Congress should respond quickly to appropriate the necessary funds.

Three weeks ago, the Administration announced that the USEC Board had approved the privatization of USEC through an initial public offering of stock in the new Corporation. This will be the largest federal privatization effort since Conrail, establishing a \$2.4 billion private corporation to enrich uranium for nuclear power production and compete in world markets. I have been involved in this effort for more than a decade. It directly affects 2,200 workers in Paducah, Kentucky who work at one of the two gaseous diffusion plants operated by USEC.

As part of this transaction, a \$1.7 billion "exit dividend" is to be paid to the Treasury. This legislation assures that an appropriate portion of those funds will be available for clean up at the existing USEC facilities. And it also puts the Senate on record in support of future appropriations for clean up purposes.

Among the reasons for obtaining these assurances is the employment situation at the two USEC plants. One of the great myths some are promoting is the suggestion that the privatization is causing 600 job losses at the two plants over the next two years. This is simply not the case. The job losses were apparently likely regardless of

whether privatization went forward. As part of the privatization agreement, the new corporation has agreed to operate both existing plants through January, 2005. However, some job reductions will occur. The job impact was likely in the event that USEC remained as a government corporation and did not privatize. And it is equally likely in the short-term if privatization goes forward. They are a reality and we must deal with this situation. The privatization transaction provides \$50 million to begin clean up efforts at the two plants. This legislation adds to that amount, earmarking an amount necessary to fully fund the estimated clean up liability for all uranium tails acquired since July 1993. Once enacted, it will be the responsibility of the Secretary of Energy to develop an adequate clean up plan. And just as importantly, it will be the responsibility of the Congress to appropriate funds which are sufficient to fully implement the clean up plan.

I believe any individuals who lose their jobs at either of the existing two facilities should be given a preference in obtaining these clean up jobs, and I will be urging the Administration to provide such a preference in the months ahead.

A second great myth associated with privatization is that there is a large pot of money laying around which could be spent on clean up. That is not the case. First of all, upon privatization, the authority to spend the so-called "exit dividend" will expire unless we pass this bill. Time is of the essence. Second, even if the authority is preserved, none of the exit dividend may be spent unless Congress appropriates the funds. That is why our Sense of the Senate language is important. When we return to this issue in the future, it is essential that Congress act expeditiously to appropriate the funds. So I think this is a timely bill and strongly support its adoption.

I also support the privatization decisions which have been made by the Administration and by the USEC Board. There is little question that the current course of action is in the best long-term interest of the employees at the Paducah facility. As a private corporation, USEC will be more efficient. It will be better suited to enter into long-term contracts and recapture its world market share for uranium enrichment. It will be better suited to implement the technology of the future, which many believe will be the Atomic Vapor Laser Isotope Separation (AVLIS) technology. And it will be better suited to provide for the long-term employment of the workers at the two current facilities.

Mr. President, I urge the passage of this bill and will continue to work with my colleagues to get this proposal to the President's desk in the days ahead.

Mr. McCONNELL. Mr. President, this bill will ensure that the Department of Energy is not stuck with a massive unfunded mandate as a result of the pri-

vatization of the United States Enrichment Corporation. This bill will ensure that both the workers at Paducah, Kentucky and Portsmouth, Ohio as well as the environment are made a top priority.

Last month the Administration, the Department of Energy and the USEC Board came to a decision on privatization of the United States Enrichment Corporation. The deal, however, put USEC first and taxpayers, workers and the environment last.

As proposed, the USEC privatization will have a devastating effect on jobs. The Administration has stated that 600 jobs will be lost in the first two years and admits that there is a real possibility that additional job losses would occur in the following years. Something must be done to alleviate the economic impact of this legislation, and I am hopeful that a serious clean up effort will mitigate some of the job losses.

Unless we prevent this transfer of funds from USEC to the General Treasury, taxpayers will be stuck with a massive unfunded environmental liability if this funding doesn't remain dedicated to clean up. Considering the Department of Energy's track record on cleaning up its own depleted uranium tails that have been stockpiled for the past forty years, it would be a big mistake if we allowed USEC to add an additional 9,000 canisters to the tens of thousands of canisters in the Department's inventory without the funds already earmarked and allocated to cleaning up this environmental nightmare.

I am willing to accept the amendment by Senator FORD in order to secure the nearly \$400 million. Senator FORD's amendment adds language to ensure that this clean up effort remains consistent with National Environmental Policy Act and adds a brief Sense of the Senate that Congress should fully fund the President's request.

I want to be absolutely clear, this amendment simply restates current law. This bill like any other, is subject to NEPA standards. However, it must not be an excuse for the Administration to slow down the implementation of a clean up plan.

Mr. President, I welcome the support of Senator FORD for this legislation and I look forward to passing it in a timely fashion so the Administration does not privatize USEC until we can ensure that workers and the environment in Western Kentucky and Southeast Ohio are made a top priority.

Mr. BOND. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be considered read the third time, and passed, and the motion to reconsider be laid upon the table, all without any intervening action or debate.

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

The amendment (No. 3211) was agreed to.

The bill (S. 2316), as amended, was considered read the third time, and passed, as follows:

S. 2316

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

**SECTION 1. UNITED STATES ENRICHMENT CORPORATION.**

(a) PLAN.—The Secretary of Energy shall prepare, and the President shall include in the budget request for fiscal year 2000, a plan and proposed legislation to ensure that all amounts accrued on the books of the United States Enrichment Corporation for the disposition of depleted uranium hexafluoride will be used to commence construction of, not later than January 31, 2004, and to operate, an onsite facility at each of the gaseous diffusion plants at Paducah, Kentucky, and Portsmouth, Ohio, to treat and recycle depleted uranium hexafluoride consistent with the National Environmental Policy Act.

(b) LIMITATION.—Notwithstanding the privatization of the United States Enrichment Corporation and notwithstanding any other provision of law (including the repeal of chapters 22 through 26 of the Atomic Energy Act of 1954 (42 U.S.C. 2297 et seq.) made by section 3116(a)(1) of the United States Enrichment Corporation Privatization Act (104 Stat. 1321-349), no amounts described in subsection (a) shall be withdrawn from the United States Enrichment Corporation Fund established by section 1308 of the Atomic Energy Act of 1954 (42 U.S.C. 2297b-7) or the Working Capital Account established under section 1316 of the Atomic Energy Act of 1954

(42 U.S.C. 2297b-15) until the date that is 1 year after the date on which the President submits to Congress the budget request for fiscal year 2000.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should authorize appropriations during fiscal year 2000 in an amount sufficient to fully fund the plan described in subsection (a).

**ORDERS FOR FRIDAY, JULY 17, 1998**

Mr. BOND. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9 a.m. on Friday, July 17. I further ask that when the Senate reconvenes on Friday, immediately following the prayer, the routine requests through the morning hour be granted, and the Senate then proceed to stacked votes ordered with respect to the HUD-VA appropriations bill.

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

**PROGRAM**

Mr. BOND. Mr. President, for information of all Senators, there will be a series of votes beginning at 9 a.m. on Friday, with all succeeding votes in the series be limited to 10 minutes each. Hopefully, that series of votes will in-

clude passage of the HUD-VA appropriations bill. The Senate is also expected to consider the legislative appropriations bill. However, any votes ordered with respect to Legislative Branch bill will be postponed to occur on Tuesday, July 21, at a time to be determined by the two leaders.

**ADJOURNMENT UNTIL 9 A.M.  
TOMORROW**

Mr. BOND. Mr. President, if there is no further business to come before the Senate, I now ask the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:55 p.m., adjourned until Friday, July 17, 1998, at 9 a.m.

**NOMINATIONS**

Executive nominations received by the Senate July 16, 1998:

**DEPARTMENT OF THE TREASURY**

JOHN D. HAWKE, JR., OF THE DISTRICT OF COLUMBIA, TO BE COMPTROLLER OF THE CURRENCY FOR A TERM OF FIVE YEARS, VICE ALLAN LUDWIG, RESIGNED.

**DEPARTMENT OF STATE**

JOHN MELVIN YATES, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.