

me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Richard E. Hecklinger.

Post: Bangkok.

Contributions, Amount, Date, and Donee.

1. Self, none.
2. Spouse, none.
3. Children and spouses names, none.
4. Parents names, Dorothy K. Hecklinger, none, Clarence F. Hecklinger (deceased).
5. Grandparents names, all deceased.
6. Brothers and spouses names, Fred and Margaret Hecklinger, none.
7. Sisters and spouses names, none.

Theodore H. Kattouf, of Maryland, 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 United Arab Emirates.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Theodore H. Kattouf.

Post: United Arab Emirates.

Contributions, Amount, Date, and Donee.

1. Self, Theodore H. Kattouf, none.
 2. Spouse, Jeannie M. Kattouf, none.
 3. Children and spouses, Jennifer Morningstar, none, Jack Morningstar, none, Jonathan Kattouf, none, Paul Kattouf, none, Michael Kattouf, none.
 4. Parents, Habab Kattouf, deceased, Victoria Kattouf, none.
 5. Grandparents, all deceased.
 6. Brothers and spouses, George Kattouf, none, Melanie (Noel) Kattouf, none, Greg Kattouf, none.
 7. Sisters and spouses, Sylvia Hanna, none, Nicholas Hanna, none.
- Bert T. Edwards, of Maryland, to be Chief Financial Officer, Department of State.
- David G. Carpenter, of Virginia, to be an Assistant Secretary of State.
- David G. Carpenter, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Charles F. Kartman, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Envoy for the Korean Peace Talks.

William B. Milam, of California, 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 Islamic Republic of Pakistan.

Nominee: William B. Milam.

Post Ambassador to Pakistan.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee.

1. Self, none.
2. Spouse (separated), none.
3. Children and spouses names, Erika L. Milam, none.
4. Parents names, Burl V. Milam deceased 1963; Alice V. Milam (nee Pierce), deceased 1977.
5. Grandparents names, William A. Pierce, deceased 1951; Martha Ellen, Ellen (Covels), deceased 1940; Alfred Milam, deceased 1938; Grace (Eads) Milam, deceased ca. 1946.

6. Brothers and spouses names, Robert D. Milam, none; Joyce N. Milam, none; Carlin R. Milam, none; and Howard P. Milam, none; Doris N. Milam, none.

7. Sisters and spouses names, no sisters.

Mary Beth West, of the District of Columbia, a Career Member of the Senior Executive Service, for the rank of Ambassador during her tenure of service as Deputy Assistant Secretary of State for Oceans, Fisheries and Space.

Jonathan H. Spalter, of the District of Columbia, to be an Associate Director of the United States Information Agency.

Hugh Q. Parmer, of Texas, to be an Assistant Administrator of the Agency for International Development.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. HELMS. Madam President, for the Committee on Foreign Relations, I also report favorably two nomination lists in the Foreign Service which were printed in full in the RECORDS of June 18, 1998 and July 15, 1998, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORDS, of June 18, 1998 and July 15, 1998, at the end of the Senate proceedings.)

In the Foreign Service nomination beginning Homi Jamshed, and ending Joseph E. Zadrozny, Jr., which nominations were received by the Senate and appeared in the RECORD of June 18, 1998.

In the Foreign Service nominations beginning Robert James Bigart, Jr., and ending Carol J. Urban, which nominations were received by the Senate and appeared in the RECORD of July 15, 1998.

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. DORGAN:

S. 2345. A bill to amend section 3681 of title 18, United States Code, relating to the special forfeiture of collateral profits of a crime; to the Committee on the Judiciary.

By Mr. ALLARD (for himself, Mr. D'AMATO, Mr. FAIRCLOTH, Mr. HAGEL, Mr. ENZI, Mr. BENNETT, Mr. MACK, Mr. SHELBY, and Mr. GRAMS):

S. 2346. A bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 2347. A bill to provide for a coordinated effort to combat methamphetamine abuse, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BURNS:

S. 2348. A bill to amend the Communications Act of 1934 to reduce telephone rates, provide advanced telecommunications services to schools, libraries, and certain health care facilities, and for other purposes; to the

Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. 2349. A bill to authorize appropriations for the hazardous materials transportation program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 2350. A bill to clarify the application of toll restrictions to Delaware River Port Authority bridges; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COVERDELL (for himself, Mr. CRAIG, and Mr. ENZI):

S. Con. Res. 109. A concurrent resolution expressing the sense of the Congress that executive departments and agencies must maintain the division of governmental responsibilities between the national government and the States that was intended by the framers of the Constitution, and must ensure that the principles of federalism established by the framers guide the executive departments and agencies in the formulation and implementation of policies; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN:

S. 2345. A bill to amend section 2681 of title 18, United States Code, relating to the special forfeiture of collateral profits of a crime; to the Committee on the Judiciary.

FEDERAL SON OF SAM LEGISLATION

Mr. DORGAN. Mr. President, today, I am introducing a bill to correct problems with the Federal "Son of Sam" law, as those problems were perceived by the United States Supreme Court. The New York statute analyzed by the Supreme Court, as well as the Federal statute which I seek to amend, forfeited the proceeds from any expressive work of a criminal, and dedicated those proceeds to the victims of the perpetrator's crime. Because of constitutional deficiencies cited by the Court, the Federal statute has never been applied, and without changes, it is highly unlikely that it ever will be. Without this bill, criminals can become wealthy from the fruits of their crimes, while victims and their families are exploited.

The bill I now introduce attempts to correct constitutional deficiencies cited by the Supreme Court in striking down New York's Son of Sam law. In its decision striking down New York's law, the Court found the statute to be both over inclusive and under inclusive: Over inclusive because the statute included all expressive works, no matter how tangentially related to the crime; under inclusive because the statute only included expressive works, not other forms of property.

To correct the deficiencies perceived by the Court, this bill changes significantly the concepts of the Federal statute. Because the Court criticized the statute for singling out speech, this bill is all encompassing: It includes various types of property related to the crime from which a criminal might profit. Because the Court criticized the statute for being over inclusive, including the proceeds from all works, no matter how remotely connected to the crime, this bill limits the property to be forfeited to the enhanced value of property attributable to the offense. Because the Court found fault with the statute for not requiring a conviction, this bill requires a conviction.

The bill also attempts to take advantage of the long legal history of forfeiture. Pirate ships and their contents were once forfeited to the government. More recent case law addresses the concept of forfeiting any property used in the commission of drug related crimes, or proceeds from those crimes. Hopefully, courts interpreting this statute will look to this legal history and find it binding or persuasive.

The bill utilizes the Commerce Clause authority of Congress to forfeit property associated with State crimes. This means that if funds are transferred through banking channels, if UPS or FedEx are used, if the airwaves are utilized, or if the telephone is used to transfer the property, to transfer funds, or to make a profit, the property can be forfeited. In State cases, this bill allows the State attorney general to proceed first. We do not seek to preempt State law, only to see that there is a law in place which will ensure that criminals do not profit at the expense of their victims and the families of victims.

One last improvement which this bill makes over the former statutes: The old statute included only crimes which resulted in physical harm to another; this bill includes other crimes. Examples of crimes probably not included under the old statute, but included here are terrorizing, kidnaping, bank robbery, and embezzlement.

Mr. President, our Federal statute, enacted to ensure that criminals not profit at the expense of their victims and victim's families, is not used today because it is perceived to be unconstitutional. I believe victims of crime deserve quick action on this bill, drafted to ensure that they are not the source of profits to those who committed crimes against them. I ask for your support.

By Mr. ALLARD (for himself, Mr. D'AMATO, Mr. FAIRCLOTH, Mr. HAGEL, Mr. ENZI, Mr. BENNETT, Mr. MACK, Mr. SHELBY, and Mr. GRAMS):

S. 2346. A bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes; to the Committee on Finance.

THE SMALL BUSINESS AND FINANCIAL INSTITUTIONS TAX RELIEF ACT OF 1998

• Mr. ALLARD. Mr. President, today I am pleased to introduce legislation that will expand and improve Subchapter S of the Internal Revenue Code. I am joined in this effort by Senators D'AMATO, FAIRCLOTH, HAGEL, ENZI, BENNETT, MACK, SHELBY, and GRAMS.

The Subchapter S provisions of the Internal Revenue Code reflect the desire of Congress to eliminate the double tax burden on small business corporations. Pursuant to that desire, Subchapter S has been liberalized a number of times, most recently in 1996. This legislation contains several provisions that will make the Subchapter S election more widely available to small businesses in all sectors. It also contains several provisions of particular benefit to community banks that may be contemplating a conversion to Subchapter S. Financial institutions were first made eligible for the Subchapter S election in 1996. This legislation builds on and clarifies the Subchapter S provisions applicable to financial institutions.

Mr. President, as Congress considers credit union legislation and financial modernization legislation, it is important that we explore ways in which we can ensure that the tax and regulatory burden on our community bankers remains reasonable. This legislation is reflective of that desire.

Mr. President, I ask unanimous consent that the text of the bill and the attached explanation of the provisions of the bill be printed in the RECORD.

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

S. 2346

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 "Small Business and Financial Institutions Tax Relief Act of 1998".

SEC. 2. EXPANSION OF S CORPORATION ELIGIBLE SHAREHOLDERS TO INCLUDE IRAS.

(a) IN GENERAL.—Section 1361(c)(2)(A) of the Internal Revenue Code of 1986 (relating to certain trusts permitted as shareholders) is amended by inserting after clause (v) the following:

"(vi) A trust described in section 408(a)."

(b) TREATMENT AS SHAREHOLDER.—Section 1361(c)(2)(B) of the Internal Revenue Code of 1986 (relating to treatment as shareholders) is amended by adding at the end the following:

"(vi) In the case of a trust described in clause (vi) of subparagraph (A), the individual for whose benefit the trust was created shall be treated as a shareholder."

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

SEC. 3. EXCLUSION OF INVESTMENT SECURITIES INCOME FROM PASSIVE INCOME TEST FOR BANK S CORPORATIONS.

(a) IN GENERAL.—Section 1362(d)(3)(C) of the Internal Revenue Code of 1986 (relating to passive investment income defined) is amended by adding at the end the following:

"(v) EXCEPTION FOR BANK INVESTMENT SECURITIES INCOME.—In the case of a bank (as defined in section 581), the term 'passive investment income' shall not include interest on investment securities held by a bank."

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

SEC. 4. INCREASE IN NUMBER OF ELIGIBLE SHAREHOLDERS TO 150.

(a) IN GENERAL.—Section 1361(b)(1)(A) of the Internal Revenue Code of 1986 (defining small business corporation) is amended by striking "75" and inserting "150".

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

SEC. 5. TREATMENT OF DIRECTOR QUALIFYING STOCK.

(a) IN GENERAL.—Section 1361(c) of the Internal Revenue Code of 1986 (relating to special rules for applying subsection (b)) is amended by adding at the end the following:

"(7) DIRECTOR QUALIFYING STOCK.—

"(A) IN GENERAL.—For purposes of subsection (b)(1)(D), director qualifying stock shall not be treated as a second class of stock.

"(B) DIRECTOR QUALIFYING STOCK DEFINED.—For purposes of this paragraph, the term 'director qualifying stock' means any stock held by any director of a bank (as defined in section 581) as mandated by banking regulatory requirements."

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

SEC. 6. BAD DEBT CHARGE OFFS IN YEARS AFTER ELECTION YEAR TREATED AS ITEMS OF BUILT IN LOSS.

The Secretary of the Treasury shall modify Regulation 1.1374-4(f) for taxable years beginning after December 31, 1998, with respect to bad debt deductions under section 166 of the Internal Revenue Code of 1986 by allowing such deductions to be properly taken into account throughout the recognition period (as defined in section 1374(d)(7) of such Code).

SEC. 7. INCLUSION OF BANKS IN 3-YEAR S CORPORATION RULE FOR CORPORATE PREFERENCE ITEMS.

(a) IN GENERAL.—Section 1363(b) of the Internal Revenue Code of 1986 (relating to computation of corporation's taxable income) is amended by adding at the end the following new flush sentence:

"Paragraph (4) shall apply to any bank whether such bank is an S corporation or a qualified subchapter S subsidiary."

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

SMALL BUSINESS AND FINANCIAL INSTITUTIONS TAX RELIEF ACT OF 1998—LEGISLATION TO EXPAND AND IMPROVE SUBCHAPTER S

Subchapter S of the Internal Revenue Code was first enacted in 1958 to reduce the tax burden on small business corporations. The Subchapter S provisions have been liberalized a number of times over the last two decades, most significantly in 1982, and again in 1996. This liberalization reflects a desire on the part of Congress to relieve the tax burden on small business. S corporations do not pay corporate level income taxes, earnings are passed through to the shareholder level where income taxes are paid, thus eliminating the double taxation of corporations. By contrast, Subchapter C corporations pay corporate level income taxes on earnings, and shareholders pay income taxes again on those same earnings when they are passed through as dividends.

This proposed S corporation improvement legislation would be helpful to many small

businesses, but a number of its provisions are particularly applicable to banks.

Congress made S corporation status available to small banks for the first time in the 1996 "Small Business Job Protection Act" but many small banks are having trouble qualifying under the current rules. The proposed legislation:

Increases the number of S corporation eligible shareholders from 75 to 150.

Permits S corporation shares to be held as Individual Retirement Accounts (IRAs).

S corporations are restricted in the amount of passive investment income they may generate. This bill makes clear that any interest on investments maintained by a bank for liquidity and safety and soundness purposes shall not be "passive" income.

S corporations may only have one class of stock. This bill provides that any stock that bank directors must hold under banking regulations shall not be a disqualifying second class of stock.

Banks that are converting to S corporations must recapture any accumulated bad debt reserve. This bill permits banks to deduct bad debt charge offs over the same number of years that the accumulated bad debt reserve must be recaptured.

S corporations that convert from C corporations are denied certain interest deductions (preference items) for up to three years following the conversion, at the end of three years the deductions are allowed. The bill clarifies that this Three Year S Corporation Rule for certain interest deduction preference items applies to S corporation banks, thereby providing equitable treatment for S corporation banks.●

By Mr. HARKIN:

S. 2347. A bill to provide for a coordinated effort to combat methamphetamine abuse, and for other purposes; to the Committee on Labor and Human Resources.

COMPREHENSIVE METHAMPHETAMINE CONTROL
ACT OF 1998

● Mr. HARKIN. Mr. President, methamphetamine is fast becoming the leading illegal addictive drug in this nation. From quiet suburbs, to city streets, to the corn rows of Iowa, meth is destroying thousands of lives every year. A majority of those lives, unfortunately, are our children's.

Methamphetamine is now commonly referred to as Iowa's illegal drug of choice. This drug is reaching epidemic proportions as it sweeps from the west coast, ravages through the Midwest, and is now beginning to reach the east. The trail of destruction of human life as a result of methamphetamine addiction is running across America from coast to coast. To illustrate the violence it elicits in people, methamphetamine is cited as a contributing factor in 80 percent of domestic violence cases in Iowa and a leading factor in a majority of violent crimes.

In 1996, I was proud to be an original cosponsor of the Methamphetamine Control Act which has done some good. However, in talking to local law enforcement and concerned citizens across Iowa, it is obvious that the methamphetamine problem has exploded beyond anything we envisioned in 1996.

The number of meth arrests, court cases, and confiscation of labs contin-

ues to escalate. In the Midwest alone, the number of clandestine meth labs confiscated and destroyed for 1998 is on pace to triple the number confiscated and destroyed in 1997. The cost of clean-up for each lab ranges from \$5,000 to \$90,000. This cost is being absorbed by communities who are not prepared, or experienced with the dangers of drug trafficking.

Additionally, these clandestine meth labs create an enormous amount of hazardous waste. For every 1 pound of methamphetamine produced, there are 5 to 6 pounds of hazardous waste as a by-product. This waste is highly toxic and often seeps into the ground where eventually it ends up in our drinking water supply.

The dangers posed to law enforcement officers also are greatly increased by these labs. Many peddlers of meth are now what they call "kitchen" labs. Meth pushers are now simply using mobile homes or even pick-up trucks to produce their drugs. Combining many volatile chemicals in an uncontrolled environment, meth labs are time bombs to police officers and communities everywhere.

Mr. President, today I am introducing the Comprehensive Methamphetamine Control Act of 1998. My legislation takes a comprehensive, common sense approach in battling this growing epidemic. It calls for an increase in resources to law enforcement working through the High Intensity Drug Trafficking Area (HIDTA) program and establishes swift and certain penalties for those producing and peddling meth.

Also, my legislation expands school and community-based prevention efforts at the local level—targeting those areas that need it the most. Finally, this proposal calls on the National Institute on Drug Abuse to find exactly what makes methamphetamine so very addictive—especially to our young people—and the best methods for beating the addiction.

Mr. President, I believe that we have a window of opportunity as a nation to take a stand right now to defeat this scourge. Everyday, meth infiltrates our city streets and suburbs, leading more and more people down a path of personal destruction. Families are being devastated and communities are fighting an uphill battle against this powerful drug. The time is now to make a stand to protect our communities and schools by passing this legislation.

I ask unanimous consent that the bill and a summary of the legislation be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

S. 2347

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

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the "Comprehensive Methamphetamine Abuse Reduction Act".

SEC. 2. EXPANDING METHAMPHETAMINE ABUSE PREVENTION EFFORTS.

Section 515 of the Public Health Service Act (42 U.S.C. 290bb-21) is amended by adding at the end the following:

"(e) PREVENTION OF METHAMPHETAMINE ABUSE AND ADDICTION.—

"(1) GRANTS.—The Director of the Center for Substance Abuse Prevention (referred to in this section as the 'Director') may make grants to and enter into contracts and cooperative agreements with public and non-profit private entities to enable such entities—

"(A) to carry out school-based programs concerning the dangers of methamphetamine abuse and addiction, using methods that are effective and evidence-based; and

"(B) to carry out community-based methamphetamine abuse and addiction prevention programs that are effective and evidence-based.

"(2) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering methamphetamine prevention programs in accordance with paragraph (3).

"(3) PREVENTION PROGRAMS AND ACTIVITIES.—

"(A) IN GENERAL.—Amounts provided under this subsection may be used—

"(i) to carry out school-based programs that are focused on those districts with high or increasing rates of methamphetamine abuse and addiction and targeted at populations which are most at risk to start methamphetamine abuse;

"(ii) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for methamphetamine abuse and addiction;

"(iii) to assist local government entities to conduct appropriate methamphetamine prevention activities;

"(iv) to train and educate State and local law enforcement officials on the signs of methamphetamine abuse and addiction and the options for treatment and prevention;

"(v) for planning, administration, and educational activities related to the prevention of methamphetamine abuse and addiction;

"(vi) for the monitoring and evaluation of methamphetamine prevention activities, and reporting and disseminating resulting information to the public; and

"(vii) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

"(B) PRIORITY.—The Director shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine abuse and addiction.

"(4) ANALYSES AND EVALUATION.—

"(A) IN GENERAL.—Not less than \$500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for methamphetamine abuse and addiction and the development of appropriate strategies for disseminating information about and implementing these programs.

"(B) ANNUAL REPORTS.—The Director shall submit to the Committee on Labor and Human Resources and Committee on Appropriations of the Senate and the Committee on Commerce and Committee on Appropriations of the House of Representatives, an annual report with the results of the analyses and evaluation under subparagraph (A).

"(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), \$20,000,000 for fiscal

year 1999, and such sums as may be necessary for each succeeding fiscal year.”.

SEC. 3. EXPANDING CRIMINAL PENALTIES AND LAW ENFORCEMENT FUNDING.

(a) SWIFT AND CERTAIN PUNISHMENT OF METHAMPHETAMINE LABORATORY OPERATORS.—

(1) FEDERAL SENTENCING GUIDELINES.—

(A) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall promulgate Federal sentencing guidelines or amend existing Federal sentencing guidelines for any offense relating to the manufacture, attempt to manufacture, or conspiracy to manufacture amphetamine or methamphetamine in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.) in accordance with this paragraph.

(B) REQUIREMENTS.—In carrying out this paragraph, the United States Sentencing Commission shall, with respect to each offense described in subparagraph (A)—

(i) increase the base offense level for the offense—

(I) by not less than 3 offense levels above the applicable level in effect on the date of enactment of this Act; or

(II) if the resulting base offense level after an increase under subclause (I) would be less than level 27, to not less than level 27; or

(ii) if the offense created a substantial risk of danger to the health and safety of another person (including any Federal, State, or local law enforcement officer lawfully present at the location of the offense, increase the base offense level for the offense—

(I) by not less than 6 offense levels above the applicable level in effect on the date of enactment of this Act; or

(II) if the resulting base offense level after an increase under clause (i) would be less than level 30, to not less than level 30.

(C) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate the guidelines or amendments provided for under this paragraph as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100-182), as though the authority under that Act had not expired.

(2) EFFECTIVE DATE.—The amendments made pursuant to this subsection shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.

(b) INCREASED RESOURCES FOR LAW ENFORCEMENT.—There are authorized to be appropriated to the Office of National Drug Control Policy to combat the trafficking of methamphetamine in areas designated by the Director of National Drug Control Policy as high intensity drug trafficking areas—

(1) \$25,000,000 for fiscal year 1999; and

(2) such sums as may be necessary for each of fiscal years 2000 through 2004.

SEC. 4. TREATMENT OF METHAMPHETAMINE ABUSE.

Section 507 of the Public Health Service Act (42 U.S.C. 290bb) is amended by adding at the end the following:

“(d) TREATMENT OF METHAMPHETAMINE ABUSE AND ADDICTION.—

“(1) GRANTS.—The Director of the Center for Substance Abuse Treatment (referred to in this section as the ‘Director’) may make grants to and enter into contracts and cooperative agreements with public and non-profit private entities for the purpose of expanding activities for the treatment of methamphetamine abuse and addiction.

“(2) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering methamphetamine treatment programs in accordance with paragraph (3).

“(3) TREATMENT PROGRAMS AND ACTIVITIES.—

“(A) IN GENERAL.—Amounts provided under this subsection may be used for—

“(i) evidence-based programs designed to assist individuals to quit their use of methamphetamine and remain drug-free;

“(ii) training in recognizing methamphetamine abuse and addiction for health professionals, including physicians, nurses, dentists, health educators, public health professionals, and other health care providers;

“(iii) training in methamphetamine treatment methods for health plans, health professionals, including physicians, nurses, dentists, health educators, public health professionals, and other health care providers;

“(iv) planning, administration, and educational activities related to the treatment of methamphetamine abuse and addiction;

“(v) the monitoring and evaluation of methamphetamine treatment activities, and reporting and disseminating resulting information to health professionals and the public;

“(vi) targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies; and

“(vii) coordination with the Center for Mental Health Services on the connection between methamphetamine abuse and addiction and mental illness.

“(B) PRIORITY.—The Director shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine abuse and addiction.

“(4) ANALYSES AND EVALUATION.—

“(A) IN GENERAL.—Not more than \$1,000,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective treatments for methamphetamine abuse and addiction and the development of appropriate strategies for disseminating information about and implementing treatment services.

“(B) ANNUAL REPORT.—The Director shall submit to the Committee on Labor and Human Resources and Committee on Appropriations of the Senate and the Committee on Commerce and Committee on Appropriations of the House or Representatives, an annual report with the results of the analyses and evaluation conducted under subparagraph (A).

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), \$40,000,000 for fiscal year 1999, and such sums as may be necessary for each succeeding fiscal year.”.

SEC. 5. EXPANDING METHAMPHETAMINE RESEARCH.

Section 464N of the Public Health Service Act (42 U.S.C. 285o-2) is amended by adding at the end the following:

“(c) METHAMPHETAMINE RESEARCH.—

“(1) GRANTS.—The Director of the Institute may make grants to expand interdisciplinary research relating to methamphetamine abuse and addiction and other biomedical, behavioral and social issues related to methamphetamine abuse and addiction.

“(2) USE OF FUNDS.—Amounts made available under a grant under paragraph (1) may be used to conduct interdisciplinary research on methamphetamine abuse and addiction, including research on—

“(A) the effects of methamphetamine abuse on the human body;

“(B) the addictive nature of methamphetamine and how such effects differ with respect to different individuals;

“(C) the connection between methamphetamine abuse and mental illness;

“(D) the identification and evaluation of the most effective methods of prevention of methamphetamine abuse and addiction;

“(E) the identification and development of the most effective methods of treatment of methamphetamine addiction, including pharmacological treatments;

“(F) risk factors for methamphetamine abuse;

“(G) effects of methamphetamine abuse and addiction on pregnant women and their fetuses;

“(H) cultural, social, behavioral, neurological and psychological reasons that individuals abuse methamphetamine, or refrain from abusing methamphetamine.

“(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating methamphetamine abuse and addiction.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), \$16,000,000 for fiscal year 1999, and such sums as may be necessary for each succeeding fiscal year.”.

COMPREHENSIVE METHAMPHETAMINE CONTROL ACT OF 1998—HIGHLIGHTS

Increased Resources for Law Enforcement. Two years ago, Senator HARKIN and other members of the Iowa Congressional delegation worked to provide Iowa law enforcement with enhanced support to fight the rise in methamphetamine abuse. Iowa (along with Missouri, Kansas, and Nebraska) was designated as a High Intensity Drug Trafficking Area (HIDTA). As a HIDTA, Iowa law enforcement has received funding to increase the number of federal prosecutors and state and local police available to crack down on meth. This legislation would expand HIDTA funding to combat methamphetamine abuse from \$8 million to \$25 million, allowing law enforcement officials to significantly expand their efforts and make our communities safer.

Swift and Certain Punishment of Meth Lab Operators. Federal, state and local law enforcement officials have been working hard to prosecute those found to be making methamphetamine. However, because of the great number of cases in Iowa and other states and the inflexibility of current laws, there are often long delays in prosecution. Therefore, this legislation includes a recommendation by the Midwest HIDTA to provide for swifter and more certain punishment of these offenders. It would direct the U.S. Sentencing Commission to increase the penalties for those convicted of manufacturing, attempting to manufacture or conspiracy to manufacture methamphetamine. It would also increase jail time for meth lab cases where the offense created a substantial danger to the health and safety to others, including law enforcement personnel.

Stepping Up Community-Based Prevention Efforts. Critical to any successful comprehensive effort to combat methamphetamine is a strong school and community-based prevention program. This legislation authorizes an additional \$20 million to fund expanding school and community-based prevention efforts at the state and local level. Funds are to be targeted to rural and other areas, like Iowa, that are experiencing high or rapid increases in methamphetamine abuse. Funds would be used for education of children, parents, local law enforcement,

businesses and others about the dangers of methamphetamine and on how to identify likely users and producers of the drug.

Expanded Treatment to Fight Meth Addiction. Also critical to a successful effort to combat methamphetamine abuse is a well-designed, adequately funded treatment program for those who become addicted to the drug. Once again, funds would be targeted to rural and other areas, like Iowa, that are experiencing high or rapid increases in methamphetamine abuse. Funds would be used to develop and evaluate effective treatment methods for methamphetamine abusers, to train health professionals about effective treatment methods and to help individuals quit their use of the drug. The bill would encourage targeted pilot programs to develop new and innovative treatment methods.

Expanded Research to Develop Improved Prevention and Treatment Strategies. While there are a number of local programs and strategies that are working to combat meth, additional research is needed to develop improved approaches. Our legislation calls on the National Institute on Drug Abuse (NIDA) to fund research to identify and evaluate the most effective methods of treatment and prevention, as well as the biomedical, neurological and physiological causes and effects of methamphetamine abuse and addiction. In addition, NIDA would be required to promptly disseminate their research results to Federal, State and local organizations involved in combating meth abuse.

By Mr. MCCAIN:

S. 2349. A bill to authorize appropriations for the hazardous materials transportation program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

HAZARDOUS MATERIALS TRANSPORTATION
REAUTHORIZATION ACT OF 1998

• Mr. MCCAIN. Mr. President, today I am introducing the Hazardous Materials Transportation Reauthorization Act of 1998. This legislation is identical to the reauthorizing provisions approved by the Senate earlier this year under Subtitle B of Title III of S. 1173, the Intermodal Surface Transportation Efficiency Act of 1998.

Mr. President, the Commerce Committee spent considerable time and effort developing and debating the safety provisions that were incorporated into the ISTEA reauthorization bill, ultimately entitled the Transportation Equity Act for the 21st Century—TEA—21 (P.L. 105-178). Once in conference with our House counterparts, we were faced with many difficult decisions and compromises. The one area that we did not reach agreement regarded the provisions associated with the Hazardous Materials Transportation programs administered by the Research and Special Programs Administration (RSPA) of the Department of Transportation.

Since the House had not acted to reauthorize this program in its version of ISTEA reauthorizing legislation, we found ourselves unable to reach agreement on including it in the conference report. Therefore, the Senate must again take action to reauthorize the Hazardous Materials Transportation Act.

Mr. President, I want to stress that this bill I am introducing today is identical to the hazardous materials reau-

thorization the Senate passed earlier this year. The legislation proposing reauthorizes funding for programs that ensure the safe transportation of hazardous materials. It also includes a number of provisions requested by the Administration that are intended to strengthen and improve the hazardous materials transportation program. And again Mr. President, I will reiterate, this bill is identical to the proposal passed by the Senate on March 12, 1998.

Mr. President, it is very important for the Congress to complete its work and reauthorize all of our nation's critical transportation safety programs. Therefore, I will be seeking to move this legislation through the Commerce, Science, and Transportation Committee in the very near future. •

By Mr. SPECTER (for himself
and Mr. SANTORUM):

S. 2350. A bill to clarify the application of toll restrictions to Delaware River Port Authority bridges; to the Committee on the Judiciary.

DELAWARE RIVER PORT AUTHORITY COMPACT
CLARIFICATION

• Mr. SPECTER. Mr. President, I introduce noncontroversial legislation which is essential to the ability of the Delaware River Port Authority to raise funds in the bond markets. Specifically, this bill clarifies that the 1987 law which repealed the thirty-year limit on bridge toll collection set by the General Bridge Act of 1946 also applies to the Delaware River Port Authority's bridges in Southeastern Pennsylvania and Southern New Jersey. It is arguable that this legislation is not necessary and that a court would construe the 1987 law in the Port Authority's favor. However, to assure certainty for the financial markets and entities considering purchasing bonds issued by the Port Authority, I believe it is worthwhile for Congress to adopt legislation making this technical clarification.

By way of background, for many years, federal regulations governed the collection of tolls on bridges throughout the nation. Then, in the 1987 highway bill, congress repealed section 506 of the 1946 General Bridge Act which imposed a 30-year time limit on the collection of tolls. The bridges owned and operated by the Delaware River Port Authority, however, are governed by a 1952 public law by which Congress ratified the Pennsylvania-New Jersey compact establishing the Port Authority. Section 3 of that public law provided that the Port Authority's bridges were expressly exempt from the 30-year limit of the General Bridge Act and were instead subject to a 50-year limit on the collection of tolls.

A strong case could be made that any existing statutory limit on the Port Authority was implicitly repealed by the 1987 highway bill because the limit in the 1952 compact legislation was drafted as an exception to a law that is no longer in effect (i.e., Section 506 of the General Bridge Act of 1946). How-

ever, since the 1952 Port Authority provision has not been technically repealed, I am proposing legislation to correct this oversight.

The legislative history of the Section 3 of the Port Authority compact legislation also suggests that the 50-year toll-collection limit should no longer apply. Instead of having a lesser restriction than the 30-year limit, as was intended by Congress, if the 50-year limit were enforced, the Port Authority would be subject to a more stringent limitation on toll collection than all other American bridges. Accordingly, I believe that my legislation is consistent with the intent behind the 1987 highway law to deregulate the collection of tolls nationwide.

The Port Authority is authorized to pledge its revenue, including that from tolls, to secure debts. To obtain financing for future economic development and to preserve the bridges it owns and operates, the Port Authority must have a guaranteed revenue stream. Although a court very likely would rule that the fifty-year limit on toll collection was implicitly repealed by the Highway Act of 1987, without direct legislation to that effect, the Port Authority's bond counsel suggests it will be unable to borrow in the financial markets.

The importance of ensuring this borrowing ability is reflected in the Port Authority's essential role in the economic development of Southeastern Pennsylvania and Southern New Jersey. The Port Authority owns and operates the Benjamin Franklin, Betsy Ross, Commodore Barry, and Walt Whitman bridges as well as the mass transit PATCO High Speed Line. The Port Authority is involved in port unification through another of its subsidiaries, the Port of Philadelphia and Camden. Finally, the Port Authority has been instrumental in regional development and the commercial revitalization of the Philadelphia-Camden waterfront. Its programs include the addition of public attractions at Penns Landing and the Camden Aquarium as well as low-interest loans to expand Philadelphia's American Street Enterprise Zone.

Given the importance of revitalizing the Delaware River region, I urge my colleagues to support this legislation. •

ADDITIONAL COSPONSORS

S. 397

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 397, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service.