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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. HEFLEY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 20, 1998.

I hereby designate the Honorable JOEL HEFLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. CHRISTENSEN) for 5 minutes.

DISAPPOINTMENT OVER OMNIBUS SPENDING PACKAGE

Mr. CHRISTENSEN. Mr. Speaker, I come to the floor today to express my disappointment in the bill that we are going to be voting on. The omnibus bill that will be brought up on the floor later today has over 4,000 pages in it and over 2,500 pages of actual budgets that are going to be hopefully debated a little bit today.

But, you know, it is now 12:30 p.m. Washington, DC, time. We will be taking up this debate sometime around 4 or 5 o'clock and probably make the vote around 6:30 or 7 o'clock Eastern Standard Time, and this Member of Congress has not seen the report yet. I have called a number of my other colleagues and they have not seen the report yet. The report is not out.

We are going to vote on a $500 billion omnibus spending package, something that we have worked a year on, some have worked longer than that, and we have not even seen the work product yet.

The Republican cloakroom has put out the spin and the Republican Conference has put out our spin on why this is a great win for the American people. Well, I do not think it is too hard to figure out that when the Democrats, the President, the Vice President, the party, is gloating about their great win, and then we come and say that we won also, something just does not figure.

NOTICE

If the 105th Congress adjourns sine die on or before October 21, 1998, a final issue of the Congressional Record for the 105th Congress will be published on October 28, 1998, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through October 27. The final issue will be dated October 28, 1998, and will be delivered on Thursday, October 29.

If the 105th Congress does not adjourn until a later date in 1998, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Records@Reporters''.

Members of the House of Representatives' statements may also be submitted electronically on a disk to accompany the signed statement and delivered to the Official Reporter's office in room HT–60.

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By order of the Joint Committee on Printing.

JOHN W. WARNER, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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When I came here in 1994, we came here as part of a group of people that believed in fiscal restraint; believed that the government had spent too much of our money. We believed that Congress had gone awry of what the American people had sent it to do.

We promised a number of things. You will remember back in the Contract with America we promised to balance the budget, which we have done; we promised to overhaul the welfare system, which we have done; we went through that Contract with America, and the American people were proud of what was accomplished.

I just returned back from Omaha today, and I have to tell you that the people in my district, the Second Congressional District of Nebraska, are very disappointed. They are very disappointed with the Congress, with the leadership. They are disappointed with the fact that we could not pass a budget bill that stayed within the caps. This bill is $20 billion over the budget caps.

There are a number of measures in this bill that are now called ''emergency funded,'' emergency spending priority items. I talked with my staff and said, why do we not just declare the whole budget emergency, because that is basically what it is. Things have been thrown in at the last moment, items that nobody in this Congress has seen yet. I think when it comes out into the full light, we are going to be very disappointed with a lot of projects that have been thrown in at the very last moment.

The main paper in my district, the Omaha World-Herald, ran an editorial cartoon on Sunday which I thought was quite amusing. It is a picture of an elephant. It has the GOP leadership on that elephant. It is in a chiropractor's office, and the chiropractor is saying, ''I believe I have discovered the problem with your spine—you don't have one.''

Folks, that is what has happened to the conservative movement back here, when we pass a bill that is $20 billion over the caps that has projected spending programs in there that the 1994 class would not have agreed to. And I do not know where we get off on the idea that we can come in here, pass a $500 billion-plus spending program, not have an opportunity to look at the bill, not have an opportunity to examine all the various programs that have been thrown in there, and say to the American people at a 4 o'clock rally today, ''This is a great product. You should be proud of this product, because we have passed it for you, the American people.'' That is not what this Congressman came to Washington to do.

I know there is a lot of compromise that must go on between the leadership, between the Senate and the House, the majority and minority leaders. But at a time when we are dealing with a weakened President, at a time when the American people have said enough of overspending the taxpayers' money, you would think that our leadership, who professed to be the conservatives leading this revolution, could stand tough within that budget cap and stay true to the commitment that we came to and came here for in 1994. We have failed in this process.

COMMUNIST VIETNAM RELEASES 80-YEAR-OLD BUDDHIST MONK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California (Ms. SANCHEZ) is recognized during morning hour debates for 5 minutes.

Ms. SANCHEZ. Mr. Speaker, this year I joined the gentleman from Virginia (Mr. DAVIS) and the gentlewoman from California (Ms. LOFGREN) in establishing the formation of the ''Adopt a Voice of Conscience in Vietnam Campaign'' in this House of Representatives.

We established this task force to bring attention to the human rights violations in Vietnam and to generate pressure for the release of all prisoners who have been in house arrest, in prison or in other forms of detention. As Members of Congress, it is our responsibility to highlight what is going on in Vietnam against religion and freedom of speech.

We need to focus the public attention on Vietnam's repression against freedom of expression so that it becomes a part of the United States policy towards communist Vietnam. With Members of Congress adopting prisoners, we can successfully advocate for religious prisoners suffering persecution at the hands of this Vietnamese government.

Well, Mr. Speaker, we now have evidence that our efforts are working. On September 2, the Government of Vietnam released over 5,000 political and religious prisoners. Included in the release was Mr. Tran Huu Duyen, a Buddhist monk who is a member of the Hoa Hao Buddhist Church located in my district. I have been notified that he is now at home in Vietnam with his family, but in very poor health.

Well, what crimes did he commit to have spent the last two decades in prison? After the communist takeover, Mr. Huu was arrested and charged with plotting to overthrow the People's Government and for participating in a political party that was affiliated with his church. Despite his 78 years of age, he was forced to do hard labor eight hours a day.

By adopting these prisoners, Members of Congress can generate constant pressure on the Vietnamese authorities to release those who really have been detained for no reason, just because they choose to speak up against this government or just because they want to practice their religion.

This is an important date for all American-Vietnamese citizens, and it represents another major step in the fight to provide liberty to all political prisoners around the world. I urge my colleagues to join us in this effort.

REMARKS ON THE OMNIBUS BUDGET COMPROMISE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Mississippi (Mr. TAYLOR) is recognized during morning hour debates for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to begin by commending the gentleman from Nebraska (Mr. CHRISTENSEN) for his remarks. As a member of the other political party, I would like to join him in really condemning what the leadership on both the minority and majority side are trying to do to the 435 elected representatives of the people.

Mr. Speaker, all across our country, people hire tax accountants to help them make sure that they are not violating any laws. You can imagine how aghast they would be if when it came time to submit that form, the accountant told them they had never actually looked at the information that they had given them.

People hire lawyers from time to time to help them with contracts, and, again, you can imagine walking into negotiations and at the last minute your lawyer saying well, he has not quite bothered to read it; or having a purchasing agent who works for you who on a daily basis is signing forms for tens of thousands of dollars or hundreds of thousands of dollars, but who never bothered to see what he was really signing for and spending your money on.

Starting Friday at 9:30, the great young people who help me in my Congressional office started calling and asking for copies of this 4,000-page document that is going to spend over one-half of a trillion, that is $500 billion, of the citizens' hard-earned money. They have been calling about every hour since then.

As of right now, 20 minutes to 1, a copy of this document is still not available. Yet the Democratic leadership and the Republican leadership are going to tell us to trust them, just go ahead and vote for it.

One of the people who is asking us to trust them is now being studied to see if he committed perjury. Another of the people who says ''trust us'' admitted lying to the Committee on Standards of Official Conduct. That is not a very good place to start.

Every Member of this body was elected. Not one of us was given this job. We had to go out and ask for it. Most of us went out and begged for it. We mortgaged our houses, we sold those things we really did not need and put ourselves in financial jeopardy because we wanted to come here and make things better.

But now we are being given the option of either taking a half a trillion dollars worth of spending that does some good things, but we do not know what else it does.

My friend from Nebraska mentioned the Welfare Reform Act. There is no one that can tell me with great certainty that this bill does not repeal it. We do not know if it establishes all new criteria for gun control. We do not know if it says on a permanent basis that we are going to have troops in Haiti or Bosnia forever. We do not know what kind of trade pacts are buried in there, because, quite frankly, there is not one copy of this bill that 435 Congressmen are being asked to vote on available for any of us to read.

Mr. Speaker, I take my job very seriously. I begged for it. When we get through with this, I am going to go back home and beg for it again. I am not going to give my responsibility away. I am going to vote no. Until there is a copy of that bill that is available for the Members to study and have some idea and some certainty as to what we are doing to and for the American people, I am going to continue to vote no.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 44 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 2 p.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

At a time when there is so much that must be accomplished, we take this moment for prayer and reflection, for thanksgiving and praise. We are grateful, O God, for the blessings that have come to us and to our land. Through days of celebration and achievement and at times of challenge and struggle, You have encouraged us to live our lives in grateful response to Your gifts by doing those good deeds that honor You and serve people with justice and mercy.

The Lord bless us and keep us, the Lord make His face shine upon us and be gracious unto us, the Lord lift up His countenance upon us and give us peace. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. SOLOMON) come forward and lead the House in the Pledge of Allegiance.

Mr. Solomon led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 633. An act to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers, and for other purposes.

H.R. 3633. An act to amend the Controlled Substances Import and Export Act to place limitations on controlled substances brought into the United States.

H.R. 4501. An act to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2070. An act to amend title 18, United States Code, to provide for the testing of certain persons who are incarcerated or ordered detained before trial, for the presence of the human immunodeficiency virus, and for other purposes.

H.R. 4283. An act to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 129. Concurrent resolution to correct a technical error in the enrollment of H.R. 3910.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 20, 1998.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Tuesday, October 20, 1998 at 10:30 a.m. ''that the Senate Passed without amendment, H.J. Res. 137''.

With warm regards,

ROBIN H. CARLE,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker pro tempore signed the following joint resolution on Tuesday, October 20, 1998:

H.J. Res. 137, making further continuing appropriations for the fiscal year 1999 and for other purposes.

DISPENSING WITH CALL OF PRIVATE CALENDAR TODAY

Mr. REDMOND. Mr. Speaker, I ask unanimous consent to dispense with the call of the Private Calendar today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PROVIDING FOR CONSIDERATION OF S. 1132, BANDELIER NATIONAL MONUMENT ADMINISTRATIVE IMPROVEMENT AND WATERSHED PROTECTION ACT OF 1998 AND S. 2133, PRESERVATION OF THE ROUTE 66 CORRIDOR

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 604 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 604

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 1132) to modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize purchase or donation of those lands, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 2133) an act to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on

the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield half our time, 30 minutes, to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this resolution is a straightforward rule providing for the consideration of two Senate bills that are pending now before the House.

First, the resolution provides for consideration in the House, without intervention of any point of order, of S. 1132, the Bandelier National Monument Administrative Improvement and Watershed Protection Act of 1998.

The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and the rule also provides for one motion to recommit on this bill.

Secondly, the rule provides for the consideration in the House, again without intervention of any point of order, of S. 2133, the Preservation of the Route 66 Corridor.

The rule also provides 2 hours of debate on that bill equally divided and controlled by the chairman and ranking member of the Committee on Resources.

Finally, the rule provides one motion to recommit on the second bill as well.

Mr. Speaker, S. 1132, Bandelier National Monument Administrative Improvement and Watershed Protection Act of 1998, was introduced by Senator BINGAMAN on July 31, 1997, was reported by the Senate Committee on Energy and Natural Resources on April 19 of this year, and was adopted by the Senate on July 17, 1998.

Likewise, S. 2133, the Preservation of the Route 66 Corridor, was introduced by Senator DOMENICI on June 4 of this year, was reported by the Senate Committee on Energy and Natural Resources on September 25, last month, and passed the Senate on October 9, just a couple of weeks ago.

Mr. Speaker, both these Senate bills were considered by the House last week under the suspension of the rules procedure. That is a procedure where we bring noncontroversial legislation to the floor and, instead of requiring a majority vote of 50 percent plus one, it requires two-thirds to pass, because it is being brought under a special procedure. However, both of these bills, which have bipartisan support in both Chambers, failed to achieve the necessary two-thirds support of the House required under that procedure. There were some 50 Members missing on that particular day.

Nevertheless, both these bills did receive the support of a majority of the House. Consequently, this rule allows the House to consider these bills under a regular order procedure that will most efficiently get them to the President's desk for signature in the waning days of this Congress, and might I say the waning day of this House of Representatives. This should be the last day that we are going to be meeting on legislation.

Mr. Speaker, considering Senate bills in an expeditious manner at the end of a session of Congress is a common House practice. This rule will help the 105th Congress to expeditiously conclude its work, and I urge adoption by the House of both the rule and the two bills that it does make in order.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume, and I wish to thank the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, for yielding me this time.

Mr. Speaker, this is a closed rule. It will allow for consideration of two resolutions, one is S. 1132, the Bandelier National Monument Administration Improvement and Watershed Protection Act of 1998, and S. 2133, which is called the Route 66 Preservation Act.

As my colleague from New York has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and the ranking minority member on the Committee on Resources. No amendments will be in order under this very closed rule.

Mr. Speaker, on the last day the House will be in session in the 105th Congress, once again we are asked to vote on measures for which there have been no House hearings, no committee reports, and without any opportunity to perfect these bills on the House floor.

My objection to this rule is more on process than substance. The Route 66 Corridor bill is controversial, should not be coming up under a closed rule without House hearings or committee markup or committee report. There are several uncontroversial bills that the Committee on Resources has considered and approved and these bills are not being brought to the House floor. The two bills we are taking up today, including one which is controversial, should not be given this special treatment.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to say that there is no one I have greater respect for than the gentleman from Ohio, but I would just say that I think he protests too much.

These bills do have committee reports. There were hearings held in the Senate. They are relatively noncontroversial and, as everyone knows, in the waning days of any session that I have been here for, for the last 20 years, legislation like this passes back and forth between the two Houses, and that is what is happening here today. It is absolutely regular order.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. REDMOND), an outstanding relatively new Member of this body, but he has certainly left his mark in such a short time and we admire him.

Mr. REDMOND. Mr. Speaker, I thank the gentleman from New York for yielding to me this time to speak in favor of this rule.

I rise in support of the rule for S. 1132, the Bandelier National Monument Administration Improvement and Watershed Protection Act, and I urge the support of my colleagues on this legislation.

The Bandelier National Monument was established by the President on February 11, 1916 to preserve the archeological resources of a vanished people, with as much land as may be necessary for the proper protection thereof. At various times since the establishment of the monument, the Congress and the President have adjusted the boundaries and purpose of the monument to further preservation of the archeological and natural resources within the monument.

S. 1132 was introduced by Senator BINGAMAN in the Senate. This bill will expand the boundaries of Bandelier National Monument, located in northern New Mexico, next to the Santa Fe National Forest.

With passage of S. 1132, the State of New Mexico will see approximately 900 acres of expansion of the Bandelier National Monument, one of the oldest national monuments in the United States. The National Park Service will be able to fulfill a long-time goal to acquire the Alamo Headwaters and to protect the watershed from any upstream contamination.

S. 1132 expands Bandelier National Monument to include the lands often known as Elk Meadows within the headwaters of the upper Alamo Watershed which drains into the Monument, but which are not currently within the jurisdiction of the Federal Land Management Agency because they currently reside on privately owned land.

This bill has both bipartisan and bicameral support. The Senate support of S. 1132 was the result of efforts of both Senator DOMENICI and Senator BINGAMAN. S. 1132 passed the Senate with unanimous consent.

S. 1132 will authorize the National Park Service to purchase approximately 900 acres from a willing seller located adjacent to Bandelier. This land is an inholding within the Santa Fe National Forest. It makes sense to add it to the Federal inventory of property.

There is no doubt in my mind that if the Federal Government does not purchase this land at this time, it will be developed and the protection of the

monument watershed will be lost forever. If this bill does not pass this year, then the National Park Service will not be able to use the money appropriated in the omnibus bill that Congress will pass later this week. This is money for the purchase of the land called Elk Meadows.

S. 1132 will allow the National Park Service to readjust the boundaries of the Bandelier around Elk Meadows, and to take in the watershed north of the Monument for protective purposes.

This bill should be noncontroversial. The National Park Service fully supports this. Members on the other side of the aisle should support this bill introduced by a Senator from their own party. The residents of the region are very supportive of this bill.

Currently, Bandelier's boundaries tend to ignore the natural geographic features, particularly on the western side that cuts across the mid-watershed of the Alamo Canyon.

In March 1997, the Sandoval County Commission approved a subdivision on Elk Meadows of an approximately 90 private acre parcel that straddles the headwaters. That development will be inevitable if this bill does not pass. Development in what may be considered to be an environmentally and ecologically sensitive area would permanently seriously disturb the Bandelier Wilderness Area.

□ 1415

The National Park Service's recommendations for fixing these problems are two. One, expand the Bandelier boundary to include the Alamo headwaters and, two, acquire the title to the land to include the adjacent boundary.

Under current law, the U.S. Forest Service has blanket authority to purchase lands outside the Forest Service boundaries in every state except New Mexico and Arizona. That is why the boundaries are needed to be changed legislatively before the purchase can take place. S. 1132 would make the necessary boundary adjustment and authorize the purchase of land.

Mr. Speaker, I would also like to speak in favor of the Route 66 component of this rule. I think it is important for us to understand that Route 66 is very important to the culture of America. Long before the information superhighway came about, there was an American superhighway. It was called Route 66. Just mentioning its name invoked the restless American spirit of exploration and adventure and yet it linked America together.

I cannot help but think of Route 66 without thinking of the words to the song from Woodie Guthrie as he states, ''I roamed and rambled and followed my footsteps through the sparkling sands of her diamond desert, and all around me the voice kept saying 'this land was made for you and me.' ''

Route 66 is that land that was described by John Steinbeck in the novel ''The Grapes of Wrath.'' Truly, Route 66 has deep roots in American culture and protection of this is very important.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. MILLER), who is the ranking minority member on the Committee on Resources.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this rule because, once again, the Republican majority is misusing the procedures of this House to deny the Democratic Members an opportunity to participate fully in the legislative process, which is our right.

Last week the House voted down two resources bills that are now back before us today. These bills have only been recently introduced. They have never had hearings. They have never been subjected to review by the Committee on Resources, and they have never been debated or marked up.

So this House is being called upon to vote to spend nearly $20 million on projects that we have never reviewed. They may be good. They may be wasteful. We do not know.

The proponents of these bills never asked for a hearing. Or if they did, they never got them. They certainly did not make a case for these bills. Now, at the last hour, we are told we have to pass them, without full debate, without any amendment, without questions being answered. Why? Because everyone in this Chamber knows, for election reasons, pure and simple.

Once again, the Republican leadership of the Committee on Resources and the House is demanding that only Republican-sponsored bills be allowed to come to the House floor. When they tried this tactic two weeks ago, the House overwhelmingly defeated their Omnibus Parks bill. And then we did what we should have done in the first place. We negotiated out an agreement where an equitable number of Democratic and Republican bills were passed.

Now the Republican leadership is desperate to enhance the image of the vulnerable Members with terrible environmental voting records who did not do their jobs to get these bills considered in the normal procedure. These rules let them steamroll this House into passing legislation that was never considered by any subcommittee or committee of the House.

And what of the promises of fair treatment? Request after request for consideration of Democratic sponsored bills, bills that have passed the committee, that have passed the Senate, just like the two we are presenting here today, are ignored. We are told the Democratic bills we have requested cannot be considered. Not the bill of the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN), not the bill of the gentleman from Texas (Mr. REYES), not the bill of the gentleman from Texas (Mr. RODRIGUEZ), not the bill of Senator DASCHLE, not the bill of Senator LANDRIEU. None of them. Just Republican bills for vulnerable incumbents. Does anyone doubt that politics is at work here?

Let us look at the bill of the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN), a bill that affects only her district that was approved unanimously by the Committee on Resources, a bill without any known controversy. I have asked no fewer than five times that this noncontroversial bill be brought before the House and each time I am told that it cannot be considered, that it is out of our hands at the Committee on Resources. Whose hands is it in? We do not know. No one will say.

Lo and behold, yesterday a story appears in the Virgin Islands Daily News quoting a Republican staffer of the Committee on Resources who denies that there has been any effort to block consideration of the bill of the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN). He claims delays are common at the end of session. He conveniently ignored that our committee passed over 30 bills last week, many of them having received less consideration than the committee-approved bill of the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

What we are seeing is a stealth effort to kill Democratic bills while trying to pass unknown and expensive legislation simply to benefit marginal Republican Members. This House should not do that.

We should oppose these rules because they are designed simply to silence the minority, deliver election year favors to vulnerable Republicans. We should oppose these rules because they are an attempt to misuse the rules of this House to prevent full consideration of this legislation at last hour and to prevent any Member of this House from offering an amendment to approve these bills. We should oppose these rules because they disenfranchise the entire Democratic Caucus of this House.

This action does not suspend the rules, as they tried last week, but it does bend the rules to play partisan politics with taxpayers' money. We should vote no on the rules and we should vote no on the bills.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

I am going to retire at the end of this year, after 20 years in this House, and the one thing I will not miss about this body, although I will miss almost everything else, is statements like my good friend and nextdoor neighbor in the second floor of Rayburn, when he stands up here and he criticizes Republicans for bringing these bills up in a political way on the last day of the session. He says we are doing it to help marginal Republicans.

Well, first of all, Senator BINGAMAN, last I knew, was not a Republican. He is a Democrat. He is not marginal. And he wants this bill. He has asked for it.

Senator DOMENICI is a Republican in the other body. He certainly is not marginal. And he is an outstanding Member and he wants this bill.

We are doing exactly what the Democrats did for 40 years on the last days of the session. Only this time we are bringing two bills before the House that did pass the House with a majority vote, not with two-thirds as required under suspension, because 50-some Members were missing that day. And now we are bringing the bills up and that is the way it should be, and I am very proud to have done it.

Over here we have two outstanding Members, one I spoke of, the gentleman from New Mexico (Mr. REDMOND) and how he is one of the most highly respected Members. He replaced a good friend of mine, Bill Richardson. Bill Richardson and I served together for many years. He was the UN ambassador. And although he and I did not agree philosophically on a number of things, he was a good Member. And he is replaced by an equally good Member.

And we all remember Steve Schiff. Steve Schiff, serving on the Committee on the Judiciary, was respected on both sides of the aisle. He was a member of the Committee on Ethics. And every Member of this body praised him. And he died of cancer not too long ago and he was replaced by the gentlewoman from New Mexico (Mrs. WILSON). And in this short time, I would just say to her, I have never seen any Member come to this body and take hold and be able to carry out her duties like she has done. And I just greatly admire and respect her.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON). Then I would ask my colleagues to tell me if they think this is a political act.

Mrs. WILSON. Mr. Speaker, I rise in support today of this rule and in support also of Senate bill 2133. The fact is that this bill had a hearing on the Senate side and was marked up in the Senate and passed the committee by unanimous voice vote.

It passed the Senate floor under unanimous consent and came over here to the House. It is important to my district, but not in a partisan political way. It is an important part of Americana and it is something that my predecessors and Senator BINGAMAN and Senator DOMENICI and others who live along this historic route have been working on for 5 years now. Something that is as simple as this little bill that does not appropriate a dime, it merely authorizes expenditures over 10 years and recognizes this historic route, should not be lost in the waning days of this session.

It is supported by the National Parks and Conservation Association, which endorses this bill, and by the National Park Service, and enjoys bipartisan support in both the House and the Senate.

Route 66 is 2,448 miles long. It crosses 8 States and three time zones, stretching from Chicago all the way down to Los Angeles, and it is firmly rooted in Americana.

Almost every child in America who studies English in high school reads ''The Grapes of Wrath,'' where John Steinbeck writes Highway 66 is the migrant road; 66, the long concrete path across the country, weaving gently up and down on the map from the Mississippi to Bakersfield, over the red lands and the gray lands, twisting up into the mountains crossing the divide and down into the bright and terrible desert, and across the desert to the mountains again and into the rich California valleys. 66 is the path of a people in flight, refugees from dust and shrinking land, from the thunder of tractors and shrinking ownership, from the desert's slow northward invasion, from the twisting winds that howl up out of Texas, from the floods that bring no richness to the land and steal what little richness is there.

From all of these, the people are in flight and they come into 66. From the tributary side roads, from the wagon tracks and the rutted country roads, 66 is the mother road, the road of flight. 250,000 people over the road. 50,000 old cars wounded, steaming wrecks along the road, abandoned. Well, what happened to them? What happened to the folks in that car? Did they walk? Where are they? Where does the courage come from? Where does the terrible faith come from?

Here is a story we can hardly believe, but it is true and it is funny and it is beautiful. There was a family of 12 and they were forced off the land. They had no car. They built a trailer out of junk and loaded it with their possessions. They pulled it to the side of 66 and waited, and pretty soon a sedan picked them up. Five of them rode in the sedan and seven on the trailer and a dog on the trailer. They got to California in two jumps. The man who pulled them fed them, and that is true.

How can such courage be and such faith in their own species? Very few things would teach such faith.

The people in flight from the terror behind, strange things happened to them, some bitterly cruel and some so beautiful that the faith is refired forever.

Route 66 is a part of our history and a part of our literature and a part of our lives, and it continues to be part of our lives from Chicago all the way down to L.A.

There is a little elementary school in Moriarty, New Mexico, the east mountains of my district. It is called Route 66 Elementary School. I showed last week the hubcap that they gave to me, and one of their teachers there wrote me a letter, and some of the children did, too, about their school and how it is designed around the Route 66 theme.

There is one of them that I wanted to read, or at least read a part of it, from Kelsey Byrne in Ms. Trujillo's fourth grade class. It says,

Honorable Congressman Wilson, our principal told us about the hubcap. It is an honor to have had you show it on television. I am very glad to get part of my education here at Route 66. It is historical, you know. I believe that this school will go on for generations. I think a good education is very important, especially if you want to be something, like a computer technician, a teacher or an astronaut. People use their school education all the time, even us kids. That is why I think everyone deserves a good education. Route 66 is very important to me. It is old, but it is in very good shape. I would like to thank you for supporting us and good luck.

Unlike today's interstate highways, Route 66 is a collection of roads, tied together by highway signs. It is a means to an end and a bona fide destination in itself. It is now decommissioned but it remains a preferred means of travel for those who want to get a little bit off the beaten path. Remember Phillips 66? It used to be the Phillips Petroleum Company. It changed its name near Tulsa, Oklahoma, on Route 66.

Many of us have gotten our kicks on Route 66, and much of our culture surrounds this great migration westward on Route 66.

When America entered World War II, traffic on Route 66 slowed to a trickle because of gas rationing. Military convoys began to travel across the highways with men and machines renewing the need for a fast, complete corridor from the heart of the country to the coast. Chicago mobsters like John Dillinger, Al Capone, Bugsy Moran used Route 66 as their getaway route.

Route 66, the start of it moved to Chicago in 1933 when the World's Fair reclaimed land that was previously a swamp.

There are many sites along that great route: The Chain of Rocks Bridge in Missouri; the Jessie James Wax Museum also in Missouri; in Kansas, and Galena, Kansas, the home of the 1935 United Mine Workers strike that erupted into violence; the Will Rogers Museum in Oklahoma; and on into Texas, and the art deco Conoco Service Station there in Shamrock.

□ 1430

There is, of course, Cadillac Ranch where Stanley Marsh is buried in cement, rear end upward, 10 famous tailfin Cadillacs built from 1948 to 1964. And then, of course, New Mexico through Tucumcari and Santa Rosa to Moriarty, the home of Route 66 Elementary School, and into Albuquerque, my hometown, where Route 66 is now central, and one can drive it from one end to the other looking at the old motor courts and the curio shops, most of which still operate, and have lunch at the Route 66 diner. In Arizona, the Petrified National Forest and the Painted Desert, the Meteor Crater and the gateway to the Grand Canyon National Park. And finally on into California, the home of Ray Crock's first McDonald's in San Bernardino, and then on down in Pasadena along the route of the Tournament of Roses Parade.

Route 66 is truly America's Main Street. This is a simple bill that recognizes that, promotes tourism along it

and will help those small businesses that are a part of our heritage.

ROUTE 66 ELEMENTARY,
Edgewood, NM.

Dear Representative HEATHER WILSON: Greetings from Route 66 Elementary. Thank you for your interest in our area. Although our school building is new, it has a lot of history around it and within it. In many ways our school is like one of the original Route 66 Main Street communities.

Our school is located near the site of Old Barton, one of the many Route 66 filling stations between Tucumcari and Albuquerque, New Mexico. Old Barton is now only a broken-down building and windmill. Where the school stands was a cow pasture. Just down Barton road is the grave of a man who claimed to be Billy the Kid.

The design of our school includes many features related to Route 66. When you walk in the front doors you find yourself on a ''walking map'' beginning at Chicago. To get to our room, follow the map down the hall, and take a left immediately after you cross the Arizona border into California. Our signs in the halls are replicas of the old highway signs. The front of our school bears up a huge neon ''Route 66'' sign. There is a time capsule buried in the walls of our building, with things the students chose to include. Many of our building's features were generated by the students during the planning phase of our permanent structure. Our student council raises money by selling the states on the walking map and, as you well know, cool old hubcaps.

The folks around here call our part of the historic roadway ''Old 66'', never ''New Mexico 333'' as the people from the State have renamed it. Although Interstate 40 runs alongside 66 and is much faster, many of our families prefer to take the more leisurely drive into Albuquerque on 66. Several families of the students in our class own their own businesses on or near Route 66, and many others are second, third, fourth or even fifth generation in this community. We have strong ties here.

Our school is so small that we have to have combination classes, and barely have enough students to put together a sixth grade traveling basketball team, but the students, families, teachers . . . all of us pitch in to make our school the best it can be.

Sincerely,

Mr. Tyrrell's 5th/6th grade combination class.

OCTOBER 16, 1998.

Honorable Congresswoman WILSON: It was wonderful for you to present the hubcap on television that we gave to you. As you know, our school is located near the Historic Route 66 road. That is why our school's name is Route 66 Elementary.

I heard that you were invited to the Grand Opening but couldn't make it.

I really think that education is very important. I believe that everyone needs an education. I think staying in school is the coolest thing anyone could ever do.

Route 66 Elementary is a very important place to me. One thing I know about the Historic Route 66 is that it is very old.

Thanks again!!

Sincerely Yours,

REBECCA RASBECK,
Mrs. Trujillo's 4th Grade,
Route 66 Elementary.

P.S. Good luck in the next election!

OCTOBER 16, 1998.

Honorable Congresswoman WILSON: Thank you for showing the hubcap we gave to you on Cable Television. I'm very honored to be writing this letter to you. I'm also honored to be in a ''famous school.'' I feel education is important to our future life, because I think it helps us do whatever career we get. For example if I become an engineer, I would need to know about spelling, mathematics, social studies, and science.

Route 66 road goes from the Atlantic Ocean to the Pacific Ocean. I don't know very much about Route 66, but I do know it's very old. Route 66 is important to me. Good luck on the election! Ohi! Thanks again for making our school famous.

Sincerely,

NICOLE AURAND,
Mrs. Trujillo's 4th Grade.
Route 66 Elementary School.

OCTOBER 16, 1998.

Honorable Congresswoman WILSON: Our principal told us about the hubcap. It is an honor to have had you show it on television! I am very glad to get part of my education here at Route 66. It is historical you know. I believe that this school will go on for generations!

I think a good education is very important. Especially if you want to be something like a computer technician, a teacher, or an astronaut.

People use their school education all the time. Even us kids do! That's why I think everyone deserves a good education.

Route 66 is very important to me. It is old but is in very good shape. I would like to thank you for supporting us. Good luck at the election!

Sincerely yours,

KELSEY BYRNE,
Mrs. Trujillo's 4th grade.

OCTOBER 16, 1998.

Honorable Congresswoman WILSON: I think education means helping children with there lifes. Route 66 elementary gets kids to do better with education. We sent you your hubcap because we are good citizens. Route 66 was built from the east to west in the 50's.

Sincerely yours,

STEVEN CHRISTENSEN,
Route 66,
Mrs. Trujillo's 4th grade.

OCTOBER 16, 1998.

Honorable Congresswoman WILSON: Thank you for showing the hubcap that we gave to you on television. I really appreciate you doing that!

My principle Mr. Marshall said for me to write this letter. It is about our school.

I will tell you about it. Route 66 starts at the Pacific and ends at the Alantic Ocean. As you know our school is on it. I will also tell you about the history about it. Route 66 is a very old road.

Now I will tell you about education. It means a lot to me. You get a job from education and a lot more. The most thing I like about education is knowing that you learning something.

Sincerely,

JENNIFER HUNT,
From Mrs. Trujillo's class.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

As my colleagues know, that to me was so reminiscing. I enjoyed it immensely. But I would like to just point out to the Members that the gentlewoman from New Mexico (Mrs. WILSON) not only is a mother of two, and she is serving here in this body, but she also is the first woman graduate of the United States Air Force Academy ever to be elected to Congress. I wish we had more like her. I wish we had more veterans serving in this body. I am going to have more to say about that when we bring up the omnibus bill in just a few minutes and about how we ought to be defending the defenders of our Nation, and I thank the gentlewoman.

Mr. Speaker, I yield such time as he might consume to the gentleman from New Mexico (Mr. REDMOND).

Mr. REDMOND. Mr. Speaker, again I would like to stand in support of the rule on this bill for both the Bandelier National Monument expansion and also the Route 66 designation.

And, Mr. Speaker, you are aware that in America there are a number of symbols in our Nation that unite us as a people. We have the Statue of Liberty, we have the monuments here in Washington, D.C., but there is a symbol that the gentlewoman from New Mexico (Mrs. WILSON) has identified for us, the symbol of Route 66 that stretches from my hometown, Chicago, through my new home state, New Mexico, and on into California, and again during the years of the Depression and many times strong relationships and ties were built during that era for our people, and part of our national heritage is identified by that defining point in our history. And, as I stated earlier, the song by Woody Guthrie talks about this land is your land, this land is my land, from California to the New York islands, from the redwood forests, to the Gulf stream waters, this land is made for you and me. And the Route 66 embodies that symbol and unites all Americans. Mr. Guthrie goes on in his song, and I believe that he was describing Route 66 when he wrote: ''As I was walking that ribbon of highway, I looked above me, the endless skyway, I saw below me the golden valley, this land was made for you and me.''

I would respectfully ask that my colleagues on both sides of the aisle support the Route 66 and also the Bandelier expansion because both these are symbolic of who we are as Americans and how we are united as a people.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield back the balance of my time, I would just simply say that we in the minority will probably, almost 100 percent, be against this rule and for a variety of reasons. Number one, it is a closed rule. Number two, the bill itself really has not had any hearings in the House of Representatives, and in this particular rule there is not really a chance to change it, so it is up or down. We do not have a choice because it says in the rule that we cannot make amendments. There has been no committee report. It has been said by papers that I have here by the ranking minority member that one of the bills that is up before us is somewhat controversial, and if we put all those things together, one is enough for us to oppose the bill. The majority really does not give us much of a choice.

So, for that reason we will oppose the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Ohio (Mr. HALL), and in closing let me just repeat one more time these are two noncontroversial bills. The people that have been on the floor listening, the people that have been back in their offices listening and certainly the viewing audience, I think they have made up their mind there is nothing controversial about these bills. They were brought to the floor under regular order. I have here a whole list of Members who were not here for the vote on these two bills, 50 some Members and an awful lot of Democrats. I do not know where they were:

The gentleman from New York (Mr. ACKERMAN), the gentleman from Maine (Mr. ALLEN), the gentleman from California (Mr. BERMAN), the gentleman from California (Mr. BROWN), the gentleman from Texas (Mr. EDWARDS), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Texas (Mr. FROST), the gentlewoman from Oregon (Ms. FURSE), the gentleman from Texas (Mr. GREEN), the gentleman from North Carolina (Mr. HEFNER), the gentleman from Wisconsin (Mr. JOHNSON), the gentlewoman from Connecticut (Mrs. KENNELLY), the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. LIPINSKI), the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman from North Carolina (Mr. MCINTYRE), the gentleman from Massachusetts (Mr. MEEHAN), and it goes on, and on, and on.

They ought to have a chance to vote on this. I urge support of the rule.

In closing, let me point out to anyone who has any question about either one of these bills: Because of the changes that I and the Committee on Rules made when we took control here 4 years ago, the minority party always has the right to a motion to recommit, and that means they can offer their alternative. They have an alternative; now is their time to offer it.

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise in objection to S. 2133 which is being brought to the floor today without having undergone review by the House Resources Committee.

First of all, the program will, if enacted, divert $10 million from underfunded and backlogged projects, possibly even in the National Park system in my own district, the U.S. Virgin Islands. Today, my constituents have been asked to pay a fee, despite the fact that when the property was deeded to the Park Service it was with the stipulation that residents especially on the Island of St. John where over 60% of the land is park, would never be charged for use. This would not be necessary if we were funded adequately, and so I object to this bill.

But even more insulting to our territory is what happened in the case of my bill, H.R. 4313, which is similar to provision passed for Guam, and which was submitted upon a resolution passed by the local representatives in the Virgin Islands. Our legislature asked to be given the authority to reduce the size of our legislature even though it was passed unanimously out of committee, it still has not come to the floor for passage.

This is similar to the fate of several of the Democratic bills that are languishing and apparently about to die as we close out this Congress.

This is no way to do the people's business, Mr. Speaker. I urge my colleagues in the interest of fairness to vote no on the rule and on these bills.

Mr. SOLOMON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken after debate has concluded on the motion to suspend the rules, but not before 5 p.m. today.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 1998

Mr. CRANE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4856) to make miscellaneous and technical changes to various trade laws, and for other purposes.

The Clerk read as follows:

H. R. 4856

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Miscellaneous Trade and Technical Corrections Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.

TITLE I—MISCELLANEOUS TRADE CORRECTIONS

Sec. 1001. Clerical amendments.
Sec. 1002. Obsolete references to GATT.
Sec. 1003. Tariff classification of 13-inch televisions.

TITLE II—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS; OTHER TRADE PROVISIONS

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—REFERENCE

Sec. 2001. Reference.

CHAPTER 2—DUTY SUSPENSIONS AND REDUCTIONS

Sec. 2101. Diiodomethyl-*p*-tolylsulfone.
Sec. 2102. Racemic dl-menthol.
Sec. 2103. 2,4-Dichloro-5-hydrazinophenolmonohydrochloride.
Sec. 2104. Tab.
Sec. 2105. Certain snowboard boots.
Sec. 2106. Ethofumesate singularly or in mixture with application adjuvants.
Sec. 2107. 3-Methoxycarbonylaminophenyl 3′-methyl-carbanilate (phenmedipham).
Sec. 2108. 3-Ethoxycarbonyl-amino-phenyl-n-phenyl-carbamate (desmedipham).
Sec. 2109. 2-Amino-4-(4-aminobenzoyl amino)-benzene-sulfonic acid, sodium salt.
Sec. 2110. 5-Amino-n-(2-hydroxyethyl)-2,3-xylenesul- fonamide.
Sec. 2111. 3-Amino-2′-(sulfatoethylsulfonyl) ethyl benzamide.
Sec. 2112. 4-Chloro-3-nitrobenzenesulfonic acid, monopotassium salt.
Sec. 2113. 2-Amino-5-nitrothiazole.
Sec. 2114. 4-Chloro-3-nitrobenzenesulfonic acid.
Sec. 2115. 6-Amino-1,3-naphthalenedisulfonic acid.
Sec. 2116. 4-Chloro-3-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2117. 2-Methyl-5-nitrobenzenesulfonic acid.
Sec. 2118. 6-Amino-1,3-naphthalenedisulfonic acid, disodium salt.
Sec. 2119. 2-Amino-p-cresol.
Sec. 2120. 6-Bromo-2,4-dinitroaniline.
Sec. 2121. 7-Acetylamino-4-hydroxy-2-naphthalene-sulfonic acid, monosodium salt.
Sec. 2122. Tannic acid.
Sec. 2123. 2-Amino-5-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2124. 2-Amino-5-nitrobenzenesulfonic acid, monoammonium salt.
Sec. 2125. 2-Amino-5-nitrobenzenesulfonic acid.
Sec. 2126. 3-(4,5-Dihydro-3-methyl-5-oxo-1h-pyrazol-1-yl)benzenesulfonic acid.
Sec. 2127. 4-Benzoylamino-5-hydroxy-2,7-naphtha- lenedisulfonic acid.
Sec. 2128. 4-Benzoylamino-5-hydroxy-2,7-naphtha- lenedisulfonic acid, monosodium salt.
Sec. 2129. Pigment Yellow 151.
Sec. 2130. Pigment Yellow 181.
Sec. 2131. Pigment Yellow 154.
Sec. 2132. Pigment Yellow 175.
Sec. 2133. Pigment Yellow 180.
Sec. 2134. Pigment Yellow 191.
Sec. 2135. Pigment Red 187.
Sec. 2136. Pigment Red 247.
Sec. 2137. Pigment Orange 72.
Sec. 2138. Pigment Yellow 16.
Sec. 2139. Pigment Red 185.
Sec. 2140. Pigment Red 208.
Sec. 2141. Pigment Red 188.
Sec. 2142. 2,6-Dimethyl-m-dioxan-4-ol acetate.
Sec. 2143. β-Bromo-β-nitrostyrene.
Sec. 2144. Textile machinery.
Sec. 2145. Deltamethrin.
Sec. 2146. Diclofop-methyl.
Sec. 2147. Resmethrin.
Sec. 2148. N-phenyl-n'-1,2,3-thiadiazol-5-ylurea.
Sec. 2149. (1R,3S)3[(1′RS)(1′,2′,2′,2′,-Tetrabromoethyl)]-2,2-dimethylcyclopropanecarboxylic acid, (S)-α-cyano-3-phenoxybenzyl ester.
Sec. 2150. Pigment Yellow 109.
Sec. 2151. Pigment Yellow 110.

Sec. 2152. Pigment Red 177.
Sec. 2153. Textile printing machinery.
Sec. 2154. Substrates of synthetic quartz or synthetic fused silica.
Sec. 2155. 2-Methyl-4,6-bis[(octylthio)methyl]phenol.
Sec. 2156. 2-Methyl-4,6-bis[(octylthio)methyl]phenol; epoxidized triglyceride.
Sec. 2157. 4-[[4,6-Bis(octylthio)-1,3,5-triazin-2-yl]amino] -2,6-bis(1,1-dimethylethyl)phenol.
Sec. 2158. (2-Benzothiazolylthio)butanedioic acid.
Sec. 2159. Calcium bis[monoethyl (3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate].
Sec. 2160. 4-Methyl-γ-oxo-benzenebutanoic acid compd. with 4-ethylmorpholine (2:1).
Sec. 2161. Weaving machines.
Sec. 2162. Textile doubling or twisting machines.
Sec. 2163. Certain weaving machines.
Sec. 2164. DEMT.
Sec. 2165. Benzenepropanal, 4-(1,1-dimethylethyl)-alpha-methyl-.
Sec. 2166. 2H–3,1-Benzoxazin-2-one, 6-chloro-4-(cyclo-propylethynyl)-1,4-dihydro-4-(trifluoromethyl)-.
Sec. 2167. Tebufenozide.
Sec. 2168. Halofenozide.
Sec. 2169. Certain organic pigments and dyes.
Sec. 2170. 4-Hexylresorcinol.
Sec. 2171. Certain sensitizing dyes.
Sec. 2172. Skating boots for use in the manufacture of in-line roller skates.
Sec. 2173. Dibutylnaphthalenesulfonic acid, sodium salt.
Sec. 2174. O-(6-chloro-3-phenyl-4-pyridazinyl)-s-octyl-carbonothioate.
Sec. 2175. 4-Cyclopropyl-6-methyl-2-phenylaminopy-rimidine.
Sec. 2176. O,O-dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadi-azol-3(2H)-yl-methyl]-dithiophosphate.
Sec. 2177. Ethyl [2-(4-phenoxyphenoxy) ethyl] carbamate.
Sec. 2178. [(2S,4R)/(2R,4S)]/[(2R,4R)/(2S,4S)]-1-[2-[4-(4-chloro-phenoxy)-2-chlorophenyl]-4-methyl-1,3-dioxolan-2-yl-methyl]-1H-1,2,4-triazole.
Sec. 2179. 2,4-Dichloro-3,5-dinitrobenzotrifluoride.
Sec. 2180. 2-Chloro-n-[2,6-dinitro-4-(trifluoromethyl) phenyl]-n-ethyl-6-fluorobenzenemethanamine.
Sec. 2181. Chloroacetone.
Sec. 2182. Acetic acid, [(5-chloro-8-quinolinyl)oxy]-, 1-methylhexyl ester.
Sec. 2183. Propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]phenoxy]-, 2-propynyl ester.
Sec. 2184. Mucochloric acid.
Sec. 2185. Certain rocket engines.
Sec. 2186. Pigment Red 144.
Sec. 2187. Pigment Orange 64.
Sec. 2188. Pigment Yellow 95.
Sec. 2189. Pigment Yellow 93.
Sec. 2190. (S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b] [1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid, diethyl ester.
Sec. 2191. 4-Chloropyridine hydrochloride.
Sec. 2192. 4-Phenoxypyridine.
Sec. 2193. (3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid.
Sec. 2194. 2-Amino-5-bromo-6-methyl-4(1H)-quinazoli-none.
Sec. 2195. 2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone.
Sec. 2196. (S)-N-[[5-[2-(2-amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid.
Sec. 2197. 2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone dihydrochloride.
Sec. 2198. 3-(Acetyloxy)-2-methylbenzoic acid.
Sec. 2199. [R-(R*,R*)]-1,2,3,4-butanetetrol-1,4-dimeth- anesulfonate.
Sec. 2200. 9-[2-[[Bis [(pivaloyloxy)-methoxy] phos- phinyl]methoxy] ethyl]adenine (also known as Adefovir Dipivoxil).
Sec. 2201. 9-[2-(R)-[[Bis[(isopropoxy-carbonyl)oxy- methoxy]-phosphinoyl]methoxy]-propyl]-adenine fumarate (1:1).
Sec. 2202. (R)-9-(2-Phosphono-methoxypropyl)ade- nine.
Sec. 2203. (R)-1,3-Dioxolan-2-one, 4-methyl-.
Sec. 2204. 9-(2-Hydroxyethyl)adenine.
Sec. 2205. (R)-9H-Purine-9-ethanol, 6-amino-α-methyl-.
Sec. 2206. Chloromethyl-2-propyl carbonate.
Sec. 2207. (R)-1,2-Propanediol, 3-chloro-.
Sec. 2208. Oxirane, (S)-((triphenylmethoxy)methyl)-.
Sec. 2209. Chloromethyl pivalate.
Sec. 2210. Diethyl (((p-toluenesulfonyl)oxy)-methyl)phosphonate.
Sec. 2211. (R)-9-(2-Hydroxypropyl)adenine.
Sec. 2212. Beta hydroxyalkylamide.
Sec. 2213. Grilamid tr90.
Sec. 2214. IN–W4280.
Sec. 2215. KL540.
Sec. 2216. Methyl thioglycolate.
Sec. 2217. DPX–E6758.
Sec. 2218. Ethylene, tetrafluoro copolymer with ethylene (ETFE).
Sec. 2219. 3-Mercapto-D-valine.
Sec. 2220. p-Ethylphenol.
Sec. 2221. Pantera.
Sec. 2222. p-Nitrobenzoic acid.
Sec. 2223. p-Toluenesulfonamide.
Sec. 2224. Polymers of tetrafluoroethylene, hexafluoropropylene, and vinylidene fluoride.
Sec. 2225. Methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2- tri- fluoroethoxy)-1,3,5-triazin-2-yl]- amino]- carbonyl]amino]sulfonyl]-3-methyl- benzoate (triflusulfuron methyl).
Sec. 2226. Certain manufacturing equipment.
Sec. 2227. Textured rolled glass sheets.
Sec. 2228. Certain HIV drug substances.
Sec. 2229. Rimsulfuron.
Sec. 2230. Carbamic acid (V–9069).
Sec. 2231. DPX–E9260.
Sec. 2232. Ziram.
Sec. 2233. Ferroboron.
Sec. 2234. Acetic acid, [[2-chloro-4-fluoro-5-[(tetra- hydro-3-oxo-1h,3h-[1,3,4] thiadiazolo[3,4-a]pyridazin-1-ylidene)amino]phenyl]- thio]-, methyl ester.
Sec. 2235. Pentyl[2-chloro-5-(cyclohex-1-ene-1,2-di- carboximido)-4-fluorophenoxy]acetate.
Sec. 2236. Bentazon (3-isopropyl)-1h-2,1,3-benzo-thiadiazin-4(3h)-one-2,2-dioxide).
Sec. 2237. Certain high-performance loudspeakers not mounted in their enclosures.
Sec. 2238. Parts for use in the manufacture of certain high-performance loudspeakers.
Sec. 2239. 5-tertiary butyl-isophthalic acid.
Sec. 2240. Certain polymer.
Sec. 2241. 2, (4-chlorophenol)-3-ethyl-2, 5-dihydro-5-oxo-4-pyridazine carboxylic acid, potassium salt.

CHAPTER 3—EFFECTIVE DATE

Sec. 2301. Effective date.

Subtitle B—Trade Provisions

Sec. 2401. Extension of United States insular possession program.
Sec. 2402. Tariff treatment for certain components of scientific instruments and apparatus.
Sec. 2403. Liquidation or reliquidation of certain entries.
Sec. 2404. Drawback and refund on packaging material.
Sec. 2405. Inclusion of commercial importation data from foreign-trade zones under the National Customs Automation Program.
Sec. 2406. Large yachts imported for sale at United States boat shows.
Sec. 2407. Review of protests against decisions of Customs Service.
Sec. 2408. Entries of NAFTA-origin goods.
Sec. 2409. Treatment of international travel merchandise held at customs-approved storage rooms.
Sec. 2410. Exception to 5-year reviews of countervailing duty or anti-dumping duty orders.
Sec. 2411. Water resistant wool trousers.
Sec. 2412. Reimportation of certain goods.
Sec. 2413. Treatment of personal effects of participants in certain world athletic events.
Sec. 2414. Reliquidation of certain entries of thermal transfer multifunction machines.
Sec. 2415. Reliquidation of certain drawback entries and refund of drawback payments.
Sec. 2416. Clarification of additional U.S. note 4 to chapter 91 of the Harmonized Tariff Schedule of the United States.
Sec. 2417. Duty-free sales enterprises.
Sec. 2418. Customs user fees.
Sec. 2419. Duty drawback for methyl tertiary-butyl ether (''MTBE'').
Sec. 2420. Substitution of finished petroleum derivatives.
Sec. 2421. Duty on certain importations of mueslix cereals.
Sec. 2422. Expansion of Foreign Trade Zone No. 143.
Sec. 2423. Marking of certain silk products and containers.
Sec. 2424. Extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Mongolia.
Sec. 2425. Enhanced cargo inspection pilot program.
Sec. 2426. Payment of education costs of dependents of certain Customs Service personnel.

TITLE III—AMENDMENTS TO INTERNAL REVENUE CODE OF 1986

Sec. 3001. Property subject to a liability treated in same manner as assumption of liability.

TITLE I—MISCELLANEOUS TRADE CORRECTIONS

SEC. 1001. CLERICAL AMENDMENTS.

(a) TRADE ACT OF 1974.—(1) Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(A) by aligning the text of paragraph (2) that precedes subparagraph (A) with the text of paragraph (1); and

(B) by aligning the text of subparagraphs (A) and (B) of paragraph (2) with the text of subparagraphs (A) and (B) of paragraph (3).

(2) Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

(A) in paragraph (3) by striking ''LIMITATION ON APPOINTMENTS.—''; and

(B) by aligning the text of paragraph (3) with the text of paragraph (2).

(3) The item relating to section 410 in the table of contents for the Trade Act of 1974 is repealed.

(4) Section 411 of the Trade Act of 1974 (19 U.S.C. 2441), and the item relating to section 411 in the table of contents for that Act, are repealed.

(5) Section 154(b) of the Trade Act of 1974 (19 U.S.C. 2194(b)) is amended by striking ''For purposes of'' and all that follows through ''90-day period'' and inserting ''For purposes of sections 203(c) and 407(c)(2), the 90-day period''.

(6) Section 406(e)(2) of the Trade Act of 1974 (19 U.S.C. 2436(e)(2)) is amended by moving subparagraphs (B) and (C) 2 ems to the left.

(7) Section 503(a)(2)(A)(ii) of the Trade Act of 1974 (19 U.S.C. 2463(a)(2)(A)(ii)) is amended by striking subclause (II) and inserting the following:

''(II) the direct costs of processing operations performed in such beneficiary developing country or such member countries,

is not less than 35 percent of the appraised value of such article at the time it is entered.''.

(8) Section 802(b)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2492(b)(1)(A)) is amended—

(A) by striking ''481(e)'' and inserting ''489''; and

(B) by inserting ''(22 U.S.C. 2291h)'' after ''1961''.

(9) Section 804 of the Trade Act of 1974 (19 U.S.C. 2494) is amended by striking ''481(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(1))'' and inserting ''489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h)''.

(10) Section 805(2) of the Trade Act of 1974 (19 U.S.C. 2495(2)) is amended by striking ''and'' after the semicolon.

(11) The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE VIII—TARIFF TREATMENT OF PRODUCTS OF, AND OTHER SANCTIONS AGAINST, UNCOOPERATIVE MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES

''Sec. 801. Short title.
''Sec. 802. Tariff treatment of products of uncooperative major drug producing or drug-transit countries.
''Sec. 803. Sugar quota.
''Sec. 804. Progress reports.
''Sec. 805. Definitions.''.

(b) OTHER TRADE LAWS.—(1) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended—

(A) in subsection (e) by aligning the text of paragraph (1) with the text of paragraph (2); and

(B) in subsection (f)(3)—

(i) in subparagraph (A)(ii) by striking ''subsection (a)(1) through (a)(8)'' and inserting ''paragraphs (1) through (8) of subsection (a)''; and

(ii) in subparagraph (C)(ii)(I) by striking ''paragraph (A)(i)'' and inserting ''subparagraph (A)(i)''.

(2) Section 3(a) of the Act of June 18, 1934 (commonly referred to as the ''Foreign Trade Zones Act'') (19 U.S.C. 81c(a)) is amended by striking the second period at the end of the last sentence.

(3) Section 9 of the Act of June 18, 1934 (commonly referred to as the ''Foreign Trade Zones Act'') (19 U.S.C. 81i) is amended by striking ''Post Office Department, the Public Health Service, the Bureau of Immigration'' and inserting ''United States Postal Service, the Public Health Service, the Immigration and Naturalization Service''.

(4) The table of contents for the Trade Agreements Act of 1979 is amended—

(A) in the item relating to section 411 by striking ''Special Representative'' and inserting ''Trade Representative''; and

(B) by inserting after the items relating to subtitle D of title IV the following:

''Subtitle E—Standards and Measures Under the North American Free Trade Agreement

''CHAPTER 1—SANITARY AND PHYTOSANITARY MEASURES

''Sec. 461. General.
''Sec. 462. Inquiry point.
''Sec. 463. Chapter definitions.

''CHAPTER 2—STANDARDS-RELATED MEASURES

''Sec. 471. General.
''Sec. 472. Inquiry point.
''Sec. 473. Chapter definitions.

''CHAPTER 3—SUBTITLE DEFINITIONS

''Sec. 481. Definitions.

''Subtitle F—International Standard-Setting Activities

''Sec. 491. Notice of United States participation in international standard-setting activities.
''Sec. 492. Equivalence determinations.
''Sec. 493. Definitions.''.

(5)(A) Section 3(a)(9) of the Miscellaneous Trade and Technical Corrections Act of 1996 is amended by striking ''631(a)'' and ''1631(a)'' and inserting ''631'' and ''1631'', respectively.

(B) Section 50(c)(2) of such Act is amended by striking ''applied to entry'' and inserting ''applied to such entry''.

(6) Section 8 of the Act of August 5, 1935 (19 U.S.C. 1708) is repealed.

(7) Section 584(a) of the Tariff Act of 1930 (19 U.S.C. 1584(a)) is amended—

(A) in the last sentence of paragraph (2), by striking ''102(17) and 102(15), respectively, of the Controlled Substances Act'' and inserting ''102(18) and 102(16), respectively, of the Controlled Substances Act (21 U.S.C. 802(18) and 802(16))''; and

(B) in paragraph (3)—

(i) by striking ''or which consists of any spirits,'' and all that follows through ''be not shown,''; and

(ii) by striking '', and, if any manifested merchandise'' and all that follows through the end and inserting a period.

(8) Section 621(4)(A) of the North American Free Trade Agreement Implementation Act, as amended by section 21(d)(12) of the Miscellaneous Trade and Technical Amendments Act of 1996, is amended by striking ''disclosure within 30 days'' and inserting ''disclosure, or within 30 days''.

(9) Section 558(b) of the Tariff Act of 1930 (19 U.S.C. 1558(b)) is amended by striking ''(c)'' each place it appears and inserting ''(h)''.

(10) Section 441 of the Tariff Act of 1930 (19 U.S.C. 1441) is amended by striking paragraph (6).

(11) General note 3(a)(ii) to the Harmonized Tariff Schedule of the United States is amended by striking ''general most-favored-nation (MFN)'' and by inserting in lieu thereof ''general or normal trade relations (NTR)''.

SEC. 1002. OBSOLETE REFERENCES TO GATT.

(a) FOREST RESOURCES CONSERVATION AND SHORTAGE RELIEF ACT OF 1990.—(1) Section 488(b) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620(b)) is amended—

(A) in paragraph (3) by striking ''General Agreement on Tariffs and Trade'' and inserting ''GATT 1994 (as defined in section 2(1)(B) of the Uruguay Round Agreements Act)'' ; and

(B) in paragraph (5) by striking ''General Agreement on Tariffs and Trade'' and inserting ''WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 2 of the Uruguay Round Agreements Act)''.

(2) Section 491(g) of that Act (16 U.S.C. 620c(g)) is amended by striking ''Contracting Parties to the General Agreement on Tariffs and Trade'' and inserting ''Dispute Settlement Body of the World Trade Organization (as the term 'World Trade Organization' is defined in section 2(8) of the Uruguay Round Agreements Act)''.

(b) INTERNATIONAL FINANCIAL INSTITUTIONS ACT.—Section 1403(b) of the International Financial Institutions Act (22 U.S.C. 262n–2(b)) is amended—

(1) in paragraph (1)(A) by striking ''General Agreement on Tariffs and Trade or Article 10'' and all that follows through ''Trade'' and inserting ''GATT 1994 as defined in section 2(1)(B) of the Uruguay Round Agreements Act, or Article 3.1(a) of the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of that Act''; and

(2) in paragraph (2)(B) by striking ''Article 6'' and all that follows through ''Trade'' and inserting ''Article 15 of the Agreement on Subsidies and Countervailing Measures referred to in subparagraph (A)''.

(c) BRETTON WOODS AGREEMENTS ACT.—Section 49(a)(3) of the Bretton Woods Agreements Act (22 U.S.C. 286gg(a)(3)) is amended by striking ''GATT Secretariat'' and inserting ''Secretariat of the World Trade Organization (as the term 'World Trade Organization' is defined in section 2(8) of the Uruguay Round Agreements Act)''.

(d) FISHERMEN'S PROTECTIVE ACT OF 1967.—Section 8(a)(4) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)(4)) is amended by striking ''General Agreement on Tariffs and Trade'' and inserting ''World Trade Organization (as defined in section 2(8) of the Uruguay Round Agreements Act) or the multilateral trade agreements (as defined in section 2(4) of that Act)''.

(e) UNITED STATES-HONG KONG POLICY ACT OF 1992.—Section 102(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5712(3)) is amended—

(1) by striking ''contracting party to the General Agreement on Tariffs and Trade'' and inserting ''WTO member country (as defined in section 2(10) of the Uruguay Round Agreements Act)''; and

(2) by striking ''latter organization'' and inserting ''World Trade Organization (as defined in section 2(8) of that Act)''.

(f) NOAA FLEET MODERNIZATION ACT.—Section 607(b)(8) of the NOAA Fleet Modernization Act (33 U.S.C. 891e(b)(8)) is amended by striking ''Agreement on Interpretation'' and all that follows through ''trade negotiations'' and inserting ''Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreements Act, or any other export subsidy prohibited by that agreement''.

(g) ENERGY POLICY ACT OF 1992.—(1) Section 1011(b) of the Energy Policy Act of 1992 (42 U.S.C. 2296b(b)) is amended—

(A) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''; and

(B) by striking ''United States-Canada Free Trade Agreement'' and inserting ''North American Free Trade Agreement''.

(2) Section 1017(c) of such Act (42 U.S.C. 2296b–6(c)) is amended—

(A) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''; and

(B) by striking ''United States-Canada Free Trade Agreement'' and inserting ''North American Free Trade Agreement''.

(h) ENERGY POLICY CONSERVATION ACT.—Section 400AA(a)(3) of the Energy Policy Conservation Act (42 U.S.C. 6374(a)(3)) is amended in subparagraphs (F) and (G) by

striking ''General Agreement on Tariffs and Trade'' each place it appears and inserting ''multilateral trade agreements as defined in section 2(4) of the Uruguay Round Agreements Act''.

(i) TITLE 49, UNITED STATES CODE.—Section 50103 of title 49, United States Code, is amended in subsections (c)(2) and (e)(2) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''.

SEC. 1003. TARIFF CLASSIFICATION OF 13-INCH TELEVISIONS.

(a) IN GENERAL.—Each of the following subheadings of the Harmonized Tariff Schedule of the United States is amended by striking ''33.02 cm'' in the article description and inserting ''34.29 cm'':

(1) Subheading 8528.12.12.
(2) Subheading 8528.12.20.
(3) Subheading 8528.12.62.
(4) Subheading 8528.12.68.
(5) Subheading 8528.12.76.
(6) Subheading 8528.12.84.
(7) Subheading 8528.21.16.
(8) Subheading 8528.21.24.
(9) Subheading 8528.21.55.
(10) Subheading 8528.21.65.
(11) Subheading 8528.21.75.
(12) Subheading 8528.21.85.
(13) Subheading 8528.30.62.
(14) Subheading 8528.30.66.
(15) Subheading 8540.11.24.
(16) Subheading 8540.11.44.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section apply to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

(2) RETROACTIVE APPLICATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service not later than 180 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in a subheading listed in paragraphs (1) through (16) of subsection (a)—

(A) that was made on or after January 1, 1995, and before the date that is 15 days after the date of enactment of this Act,

(B) with respect to which there would have been no duty or a lesser duty if the amendments made by subsection (a) applied to such entry, and

(C) that is—

(i) unliquidated,
(ii) under protest, or
(iii) otherwise not final,

shall be liquidated or reliquidated as though such amendment applied to such entry.

TITLE II—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS; OTHER TRADE PROVISIONS

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—REFERENCE

SEC. 2001. REFERENCE.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

CHAPTER 2—DUTY SUSPENSIONS AND REDUCTIONS

SEC. 2101. DIIODOMETHYL-P-TOLYLSULFONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.90	Diiodomethyl-*p*-tolylsulfone (CAS No. 20018–09–1) (provided for in subheading 2930.90.10)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2102. RACEMIC dl-MENTHOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.06	Racemic dl-menthol (intermediate (E) for use in producing menthol) (CAS No. 15356–70–4) (provided for in subheading 2906.11.00)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2103. 2,4-DICHLORO-5-HYDRAZINOPHENOLMONOHY- DROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.28	2,4-Dichloro-5-hydrazinophenolmonohydrochloride (CAS No. 189573–21–5) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2104. TAB.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.95	Phosphinic acid, [3-(acetyloxy)-3-cyanopropyl]methyl-, butyl ester (CAS No. 167004–78–6) (provided for in subheading 2931.00.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2105. CERTAIN SNOWBOARD BOOTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.64.04	Snowboard boots with uppers of textile materials (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2106. ETHOFUMESATE SINGULARLY OR IN MIXTURE WITH APPLICATION ADJUVANTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.31.12	2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl-methanesulfonate (ethofumesate) singularly or in mixture with application adjuvants (CAS No. 26225–79–6) (provided for in subheading 2932.99.08 or 3808.30.15)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2107. 3-METHOXYCARBONYLAMINOPHENYL 3′-METHYL-CARBANILATE (PHENMEDIPHAM).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.31.13	3-Methoxycarbonylamino-phenyl 3′-methylcarbanilate (phenmedipham) (CAS No. 13684–63–4) (provided for in subheading 2924.29.47)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2108. 3-ETHOXYCARBONYL-AMINO-PHENYL-N-PHENYL-CARBAMATE (DESMEDIPHAM).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.31.14	3-Ethoxycarbonyl-amino-phenyl-N-phenylcarbamate (desmedipham) (CAS No. 13684–56–5) (provided for in subheading 2924.29.41)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2109. 2-AMINO-4-(4-AMINOBENZOYL AMINO)-BENZENE-SULFONIC ACID, SODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.91	2-Amino-4-(4-aminobenzoyl amino)-benzenesulfonic acid, sodium salt (CAS No. 167614–37–1) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2110. 5-AMINO-N-(2-HYDROXYETHYL)-2,3-XYLENESUL- FONAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.31	5-Amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide (CAS No. 25797–78–8) (provided for in subheading 2935.00.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2111. 3-AMINO-2′-(SULFATOETHYLSULFONYL) ETHYL BENZAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.90	3-Amino-2′-(sulfatoethylsulfonyl) ethyl benzamide (CAS No. 121315–20–6) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2112. 4-CHLORO-3-NITROBENZENESULFONIC ACID, MONOPOTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.92	4-Chloro-3-nitrobenzenesulfonic acid, monopotassium salt (CAS No. 6671–49–4) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2113. 2-AMINO-5-NITROTHIAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.46	2-Amino-5-nitrothiazole (CAS No. 121–66–4) (provided for in subheading 2934.10.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2114. 4-CHLORO-3-NITROBENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.04	4-Chloro-3-nitrobenzenesulfonic acid (CAS No. 121–18–6) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2115. 6-AMINO-1,3-NAPHTHALENEDISULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.21	6-Amino-1,3-naphthalenedisulfonic acid (CAS No. 118–33–2) (provided for in subheading 2921.45.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2116. 4-CHLORO-3-NITROBENZENESULFONIC ACID, MONOSODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.24	4-Chloro-3-nitrobenzenesulfonic acid, monosodium salt (CAS No. 17691–19–9) (provided for in subheading 2904.90.40)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2117. 2-METHYL-5-NITROBENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.23	2-Methyl-5-nitrobenzenesulfonic acid (CAS No. 121–03–9) (provided for in subheading 2904.90.20)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2118. 6-AMINO-1,3-NAPHTHALENEDISULFONIC ACID, DISODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.45	6-Amino-1,3-naphthalenedisulfonic acid, disodium salt (CAS No. 50976–35–7) (provided for in subheading 2921.45.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2119. 2-AMINO-P-CRESOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.20	2-Amino-p-cresol (CAS No. 95–84–1) (provided for in subheading 2922.29.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2120. 6-BROMO-2,4-DINITROANILINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.43	6-Bromo-2,4-dinitroaniline (CAS No. 1817–73–8) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2121. 7-ACETYLAMINO-4-HYDROXY-2-NAPHTHALENE-SULFONIC ACID, MONOSODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.29	7-Acetylamino-4-hydroxy-2-naphthalenesulfonic acid, monosodium salt (CAS No. 42360–29–2) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2122. TANNIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.01	Tannic acid (CAS No. 1401–55–4) (provided for in subheading 3201.90.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2123. 2-AMINO-5-NITROBENZENESULFONIC ACID, MONOSODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.53	2-Amino-5-nitrobenzenesulfonic acid, monosodium salt (CAS No. 30693–53–9) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2124. 2-AMINO-5-NITROBENZENESULFONIC ACID, MONOAMMONIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.44	2-Amino-5-nitrobenzenesulfonic acid, monoammonium salt (CAS No. 4346–51–4) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2125. 2-AMINO-5-NITROBENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.54	2-Amino-5-nitrobenzenesulfonic acid (CAS No. 96–75–3) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2126. 3-(4,5-DIHYDRO-3-METHYL-5-OXO-1H-PYRAZOL-1-YL)BENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.19	3-(4,5-Dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)benzenesulfonic acid (CAS No. 119–17–5) (provided for in subheading 2933.19.43)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2127. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHA- LENEDISULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.65	4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid (CAS No. 117–46–4) (provided for in subheading 2924.29.75)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2128. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHA- LENEDISULFONIC ACID, MONOSODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.72	4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt (CAS No. 79873–39–5) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2129. PIGMENT YELLOW 151.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.04	Pigment Yellow 151 (CAS No. 031837–42–0) (provided for in subheading 3204.17.90)	6.4%	No change	No change	On or before 12/31/2001	’’.

SEC. 2130. PIGMENT YELLOW 181.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.17	Pigment Yellow 181 (CAS No. 074441–05–7) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2131. PIGMENT YELLOW 154.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.18	Pigment Yellow 154 (CAS No. 068134–22–5) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2132. PIGMENT YELLOW 175.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.19	Pigment Yellow 175 (CAS No. 035636–63–6) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2133. PIGMENT YELLOW 180.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.20	Pigment Yellow 180 (CAS No. 77804–81–0) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2134. PIGMENT YELLOW 191.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.21	Pigment Yellow 191 (CAS No. 129423–54–7) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2135. PIGMENT RED 187.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following heading:

‘‘	9902.32.22	Pigment Red 187 (CAS No. 59487–23–9) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2136. PIGMENT RED 247.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.23	Pigment Red 247 (CAS No. 43035-18-3) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2137. PIGMENT ORANGE 72.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.24	Pigment Orange 72 (CAS No. 78245–94–0) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2138. PIGMENT YELLOW 16.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.25	Pigment Yellow 16 (CAS No. 5979–28–2) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2139. PIGMENT RED 185.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following heading:

‘‘	9902.32.26	Pigment Red 185 (CAS No. 51920–12–8) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2140. PIGMENT RED 208.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.27	Pigment Red 208 (CAS No. 31778–10–6) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2141. PIGMENT RED 188.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.28	Pigment Red 188 (CAS No. 61847–48–1) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2142. 2,6-DIMETHYL-M-DIOXAN-4-OL ACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.94	2,6-Dimethyl-m-dioxan-4-ol acetate (CAS No. 000828–00–2) (provided for in subheading 2932.99.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2143. β-BROMO-β-NITROSTYRENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.92	β-Bromo-β-nitrostyrene (CAS No. 7166–19–0) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2144. TEXTILE MACHINERY.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.43	Ink-jet textile printing machinery (provided for in subheading 8443.51.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2145. DELTAMETHRIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.18	(S)-α-Cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate (deltamethrin) in bulk or in forms or packings for retail sale (CAS No. 52918–63–5) (provided for in subheading 2926.90.30 or 3808.10.25)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2146. DICLOFOP-METHYL.

Heading 9902.30.16 is amended by striking ‘‘12/31/98’’ and inserting ‘‘12/31/2001’’.

SEC. 2147. RESMETHRIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.29	([5-(Phenylmethyl)-3-furanyl] methyl 2,2-dimethyl-3-(2-methyl-1-propenyl) cyclopropanecarboxylate (resmethrin) (CAS No. 10453–86–8) (provided for in subheading 2932.19.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2148. N-PHENYL-N’-1,2,3-THIADIAZOL-5-YLUREA.

(a) IN GENERAL.—Heading 9902.30.17 is amended by striking ‘‘12/31/98’’ and inserting ‘‘12/31/2001’’.

(b) CONFORMING AMENDMENT.—

Heading 9902.30.17 is amended by striking the chemical number and inserting the following: ‘‘N-Phenyl-N’ -1,2,3-thiadiazol-5-ylurea’’.

SEC. 2149. (1R,3S)3[(1′RS)(1′,2′,2′,2′,-TETRABROMOETHYL)]-2,2-DIMETHYLCYCLOPROPANECARBOXYLIC ACID, (S)-α-CYANO-3-PHENOXYBENZYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.19	(1R,3S)3[(1′RS)(1′,2′,2′,2′,-Tetrabromoethyl)]-2,2-dimethylcyclopropanecarboxylic acid (S)-α-cyano-3-phenoxybenzyl ester in bulk or in forms or packages for retail sale (CAS No. 66841–25–6) (provided for in subheading 2926.90.30 or 3808.10.25)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2150. PIGMENT YELLOW 109.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.00	Pigment Yellow 109 (CAS No. 106276–79–3) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2151. PIGMENT YELLOW 110.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.05	Pigment Yellow 110 (CAS No. 106276–80–6) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2152. PIGMENT RED 177.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.58	Pigment Red 177 (CAS No. 4051–63–2) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2153. TEXTILE PRINTING MACHINERY.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.20	Textile printing machinery (provided for in subheading 8443.59.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2154. SUBSTRATES OF SYNTHETIC QUARTZ OR SYNTHETIC FUSED SILICA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.70.06	Substrates of synthetic quartz or synthetic fused silica imported in bulk or in forms or packages for retail sale (provided for in subheading 7006.00.40)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2155. 2-METHYL-4,6-BIS[(OCTYLTHIO)METHYL]PHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.14	2-Methyl-4,6- bis[(octylthio)methyl] phenol (CAS No. 110553–27–0) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2156. 2-METHYL-4,6-BIS[(OCTYLTHIO)METHYL]PHENOL; EPOXIDIZED TRIGLYCERIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.12	2-Methyl-4,6- bis[(octylthio) methyl]phenol; epoxidized triglyceride (provided for in subheading 3812.30.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2157. 4-[[4,6-BIS(OCTYLTHIO)-1,3,5-TRIAZIN-2-YL]AMINO] -2,6-BIS(1,1-DIMETHYLETHYL)PHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.30	4-[[4,6-Bis(octylthio)-1,3,5-triazin-2-yl]amino]-2,6-bis(1,1-dimethylethyl)phenol (CAS No. 991–84–4) (provided for in subheading 2933.69.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2158. (2-BENZOTHIAZOLYLTHIO)BUTANEDIOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.31	(2-Benzothiazolylthio)butane-dioic acid (CAS No. 95154–01–1) (provided for in subheading 2934.20.40)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2159. CALCIUM BIS[MONOETHYL (3,5-DI-TERT-BUTYL-4-HYDROXYBENZYL) PHOSPHONATE].

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.16	Calcium bis[monoethyl (3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate] (CAS No. 65140–91–2) (provided for in subheading 2931.00.30)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2160. 4-METHYL-γ-OXO-BENZENEBUTANOIC ACID COMPD. WITH 4-ETHYLMORPHOLINE (2:1).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.26	4-Methyl-γ-oxo-benzenebutanoic acid compd. with 4-ethylmorpholine (2:1) (CAS No. 171054–89–0) (provided for in subheading 3824.90.28)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2161. WEAVING MACHINES.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.46	Weaving machines (looms), shuttleless type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9 m (provided for in subheading 8446.30.50), entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames, or beams	3.5%	No change	No change	On or before 12/31/98	’’.

(b) ADJUSTMENT AFTER 1998.—Heading 9902.84.46, as added by subsection (a), is amended—

(1) by striking ‘‘3.5%’’ and inserting ‘‘3.3%’’; and

(2) by striking ‘‘12/31/98’’ and inserting ‘‘12/31/2001’’.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act and before January 1, 1999.

(2) RATE ADJUSTMENT.—The amendment made by subsection (b) applies to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1999.

SEC. 2162. TEXTILE DOUBLING OR TWISTING MACHINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.45	Textile doubling or twisting machines (provided for in subheading 8445.30.00)	Free	No change	No change	On or before 12/31/98	’’.

SEC. 2163. CERTAIN WEAVING MACHINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.10	Power weaving machines (looms), shuttle type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9m (provided for in subheading 8446.21.50), if entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames or beams	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2164. DEMT.

Heading 9902.32.12 is amended by striking ''12/31/98'' and inserting ''12/31/2001''.

SEC. 2165. BENZENEPROPANAL, 4-(1,1-DIMETHYLETHYL)-ALPHA-METHYL-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.57	Benzenepropanal, 4-(1,1-dimethylethyl)-alpha-methyl- (CAS No. 80–54–6) (provided for in subheading 2912.29.60)	6%	No change	No change	On or before 12/31/2001	''.

SEC. 2166. 2H–3,1-BENZOXAZIN-2-ONE, 6-CHLORO-4-(CYCLO-PROPYLETHYNYL)-1,4-DIHYDRO-4-(TRIFLUOROMETHYL)-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.56	2H–3,1-Benzoxazin-2-one, 6-chloro-4-(cyclopropylethynyl)-1,4-dihydro-4-(trifluoromethyl)- (CAS No. 154598–52–4) (provided for in subheading 2934.90.30)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2167. TEBUFENOZIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.32	N-tert-Butyl-N'-(4-ethylbenzoyl)-3,5-Dimethylbenzoylhydrazide (Tebufenozide) (CAS No. 112410-23-8) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2168. HALOFENOZIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.36	Benzoic acid, 4-chloro-2-benzoyl-2-(1,1-dimethylethyl) hydrazide (Halofenozide) (CAS No. 112226-61-6) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2169. CERTAIN ORGANIC PIGMENTS AND DYES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.07	Organic luminescent pigments and dyes for security applications excluding daylight fluorescent pigments and dyes (provided for in subheading 3204.90.00)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2170. 4-HEXYLRESORCINOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.07	4-Hexylresorcinol (CAS No. 136–77–6) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2171. CERTAIN SENSITIZING DYES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.37	Polymethine photo-sensitizing dyes (provided for in subheadings 2933.19.30, 2933.19.90, 2933.90.24, 2934.10.90, 2934.20.40, 2934.90.20, and 2934.90.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2172. SKATING BOOTS FOR USE IN THE MANUFACTURE OF IN-LINE ROLLER SKATES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.64.05	Boots for use in the manufacture of in-line roller skates (provided for in subheadings 6402.19.90, 6403.19.40, 6403.19.70, and 6404.11.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2173. DIBUTYLNAPHTHALENESULFONIC ACID, SODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.34.02	Surface active preparation containing 30 percent or more by weight of dibutylnaphthalenesulfonic acid, sodium salt (CAS No. 25638–17–9) (provided for in subheading 3402.90.30)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2174. O-(6-CHLORO-3-PHENYL-4-PYRIDAZINYL)-S-OCTYL-CARBONOTHIOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.08	O-(6-Chloro-3-phenyl-4-pyridazinyl)-S-octyl-carbonothioate (CAS No. 55512–33–9) (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2175. 4-CYCLOPROPYL-6-METHYL-2-PHENYLAMINOPY-RIMIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.50	4-Cyclopropyl-6-methyl-2-phenylaminopyrimidine (CAS No. 121552–61–2) (provided for in subheading 2933.59.15)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2176. O,O-DIMETHYL-S-[5-METHOXY-2-OXO-1,3,4-THIADI-AZOL-3(2H)-YL-METHYL]-DITHIOPHOSPHATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.51	O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]-dithiophosphate (CAS No. 950–37–8) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2177. ETHYL [2-(4-PHENOXYPHENOXY) ETHYL] CARBAMATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.52	Ethyl [2-(4-phenoxyphenoxy) ethyl] carbamate (CAS No. 79127–80–3) (provided for in subheading 2924.10.80)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2178. [(2S,4R)/(2R,4S)]/[(2R,4R)/(2S,4S)]-1-[2-[4-(4-CHLORO-PHENOXY)-2-CHLOROPHENYL]-4-METHYL-1,3-DIOXOLAN-2-YL-METHYL]-1H-1,2,4-TRIAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.74	[(2S,4R)/(2R,4S)]/[(2R,4R)/ (2S,4S)]-1-[2-[4-(4-Chloro- phenoxy)-2-chlorophenyl]-4- methyl-1,3-dioxolan-2-yl- methyl]-1H-1,2,4-triazole (CAS No. 119446-68-3) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2179. 2,4-DICHLORO-3,5-DINITROBENZOTRIFLUORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.12	2,4-Dichloro-3,5-dinitrobenzotrifluoride (CAS No. 29091–09–6) (provided for in subheading 2910.90.20)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2180. 2-CHLORO-N-[2,6-DINITRO-4-(TRIFLUOROMETHYL) PHENYL]-N-ETHYL-6-FLUOROBENZENEMETHANAMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.15	2-Chloro-N-[2,6-dinitro-4-(trifluoromethyl) phenyl]-N-ethyl-6-fluorobenzenemethanamine (CAS No. 62924–70–3) (provided for in subheading 2921.49.45)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2181. CHLOROACETONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.11	Chloroacetone (CAS No. 78–95–5) (provided for in subheading 2914.19.00)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2182. ACETIC ACID, [(5-CHLORO-8-QUINOLINYL)OXY]-, 1-METHYLHEXYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.60	Acetic acid, [(5-chloro-8-quinolinyl)oxy]-, 1-methylhexyl ester (CAS No. 99607–70–2) (provided for in subheading 2933.40.30)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2183. PROPANOIC ACID, 2-[4-[(5-CHLORO-3-FLUORO-2-PYRIDINYL)OXY]PHENOXY]-, 2-PROPYNYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.19	Propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]phenoxy]-, 2-propynyl ester (CAS No. 105512–06–9) (provided for in subheading 2933.39.25)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2184. MUCOCHLORIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.18	Mucochloric acid (CAS No. 87–56–9) (provided for in subheading 2918.30.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2185. CERTAIN ROCKET ENGINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.84.12	Dual thrust chamber rocket engines each having a maximum static sea level thrust exceeding 3,550 kN and nozzle exit diameter exceeding 127 cm (provided for in subheading 8412.10.00)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2186. PIGMENT RED 144.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.11	Pigment Red 144 (CAS No. 5280–78–4) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2187. PIGMENT ORANGE 64.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.09	Pigment Orange 64 (CAS No. 72102–84–2) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2188. PIGMENT YELLOW 95.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.08	Pigment Yellow 95 (CAS No. 5280–80–8) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2189. PIGMENT YELLOW 93.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.13	Pigment Yellow 93 (CAS No. 5580–57–4) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2190. (S)-N-[[5-[2-(2-AMINO-4,6,7,8-TETRAHYDRO-4-OXO-1H-PYRIMIDO[5,4-B] [1,4]THIAZIN-6-YL)ETHYL]-2-THIENYL]CARBONYL]-L-GLUTAMIC ACID, DIETHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.33	(S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b] [1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-L-glutamic acid, diethyl ester (CAS No. 177575–19–8) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2191. 4-CHLOROPYRIDINE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.34	4-Chloropyridine hydrochloride (CAS No. 7379–35–3) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2192. 4-PHENOXYPYRIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.35	4-Phenoxypyridine (CAS No. 4783–86–2) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2193. (3S)-2,2-DIMETHYL-3-THIOMORPHOLINE CARBOXYLIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.36	(3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid (CAS No. 84915–43–5) (provided for in subheading 2934.90.90)	Free	No Change	No Change	On or before 12/31/2001	’’.

SEC. 2194. 2-AMINO-5-BROMO-6-METHYL-4(1H)-QUINAZOLI-NONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.37	2-Amino-5-bromo-6-methyl-4(1H)-quinazolinone (CAS No. 147149–89–1) (provided for in subheading 2933.59.70)	Free	No Change	No Change	On or before 12/31/2001	’’.

SEC. 2195. 2-AMINO-6-METHYL-5-(4-PYRIDINYLTHIO)-4(1H)-QUINAZOLINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.38	2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone (CAS No. 147149–76–6) (provided for in subheading 2933.59.70)	Free	No Change	No Change	On or before 12/31/2001	’’.

SEC. 2196. (S)-N-[[5-[2-(2-AMINO-4,6,7,8-TETRAHYDRO-4-OXO-1H-PYRIMIDO[5,4-B][1,4]THIAZIN-6-YL)ETHYL]-2-THIENYL]CARBONYL]-L-GLUTAMIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.39	(S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-L-glutamic acid (CAS No. 177575–17–6) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2197. 2-AMINO-6-METHYL-5-(4-PYRIDINYLTHIO)-4(1H)-QUINAZOLINONE DIHYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.40	2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone dihydrochloride (CAS No. 152946–68–4) (provided for in subheading 2933.59.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2198. 3-(ACETYLOXY)-2-METHYLBENZOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.41	3-(Acetyloxy)-2-methylbenzoic acid (CAS No. 168899–58–9) (provided for in subheading 2918.29.65)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2199. [R-(R*,R*)]-1,2,3,4-BUTANETETROL-1,4-DIMETH- ANESULFONATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.42	[R-(R*,R*)]-1,2,3,4-Butanetetrol-1,4-dimethanesulfonate (CAS No. 1947–62–2) (provided for in subheading 2905.49.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2200. 9-[2-[[BIS [(PIVALOYLOXY)-METHOXY] PHOS- PHINYL]METHOXY] ETHYL]ADENINE (ALSO KNOWN AS ADEFOVIR DIPIVOXIL).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.01	9-[2-[[Bis [(pivaloyloxy)-methoxy] phosphinyl]- methoxy] ethyl]adenine (also known as Adefovir Dipivoxil) (CAS No. 142340–99–6) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2201. 9-[2-(R)-[[BIS[(ISOPROPOXY-CARBONYL)OXY- METHOXY]-PHOSPHINOYL]METHOXY]-PROPYL]- ADENINE FUMARATE (1:1).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.02	9-[2-(R)-[[Bis[(isopropoxy- carbonyl)oxymethoxy]- phosphinoyl]methoxy]-propyl]adenine fumarate (1:1) (CAS No. 202138-50-9) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2202. (R)-9-(2-PHOSPHONO-METHOXYPROPYL)ADE- NINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.03	(R)-9-(2-Phosphono- methoxypropyl)adenine (CAS No. 147127–20–6) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2203. (R)-1,3-DIOXOLAN-2-ONE, 4-METHYL-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.04	(R)-1,3-Dioxolan-2-one, 4-methyl- (CAS No. 16606–55–6) (provided for in subheading 2920.90.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2204. 9-(2-HYDROXYETHYL)ADENINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.05	9-(2-Hydroxyethyl)adenine (CAS No. 707–99–3) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2205. (R)-9H-PURINE-9-ETHANOL, 6-AMINO-α-METHYL-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.06	(R)-9H-Purine-9-ethanol, 6-amino-α-methyl- (CAS No. 14047–28–0) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2206. CHLOROMETHYL-2-PROPYL CARBONATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.07	Chloromethyl-2-propyl carbonate (CAS No. 35180–01–9) (provided for in subheading 2920.90.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2207. (R)-1,2-PROPANEDIOL, 3-CHLORO-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.08	(R)-1,2-Propanediol, 3-chloro- (CAS No. 57090–45–6) (provided for in subheading 2905.50.60)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2208. OXIRANE, (S)-((TRIPHENYLMETHOXY)METHYL)-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.09	Oxirane, (S)-((triphenylmethoxy)methyl)- (CAS No. 129940–50–7) (provided for in subheading 2910.90.20)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2209. CHLOROMETHYL PIVALATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.10	Chloromethyl pivalate (CAS No. 18997–19–8) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2210. DIETHYL (((P-TOLUENESULFONYL)OXY)-METHYL)PHOSPHONATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.11	Diethyl (((p-toluenesulfonyl)oxy)- methyl)phosphonate (CAS No. 31618–90–3) (provided for in subheading 2931.00.30)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2211. (R)-9-(2-HYDROXYPROPYL)ADENINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.14	(R)-9-(2-Hydroxypropyl)adenine (CAS No. 14047–28–0) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2212. BETA HYDROXYALKYLAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.25	N,N,N’,N’-Tetrakis-(2-hydroxyethyl)-hexane diamide (beta hydroxyalkylamide) (CAS No. 6334–25–4) (provided for in subheading 3824.90.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2213. GRILAMID TR90.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.39.12	Dodecanedioic acid, polymer with 4,4[1]-methylenebis (2-methylcyclohexanamine) (CAS No. 163800–66–6) (provided for in subheading 3908.90.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2214. IN–W4280.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.51	2,4-Dichloro-5-hydroxy-phenylhydrazine (CAS No. 39807–21–1) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2215. KL540.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.54	Methyl 4-trifluoromethoxyphenyl-N- (chlorocarbonyl) carbamate (CAS No. 173903–15–6) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2216. METHYL THIOGLYCOLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.55	Methyl thioglycolate (CAS No. 2365–48–2) (provided for in subheading 2930.90.90)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2217. DPX–E6758.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.59	Phenyl (4, 6-dimethoxy-pyrimidin-2-yl) carbamate (CAS No. 89392-03-0) (provided for in subheading 2933.59.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2218. ETHYLENE, TETRAFLUORO COPOLYMER WITH ETHYLENE (ETFE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.68	Ethylene-tetrafluoro ethylene copolymer (ETFE) (provided for in subheading 3904.69.50)	3.3%	No change	No change	On or before 12/31/2001	’’.

SEC. 2219. 3-MERCAPTO-D-VALINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.66	3-Mercapto-D-valine (CAS No. 52–67–5) (provided for in subheading 2930.90.45)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2220. P-ETHYLPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.31.21	p-Ethylphenol (CAS No. 123–07–9) (provided for in subheading 2907.19.20)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2221. PANTERA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.09	(+/−)- Tetrahydrofurfuryl (R)-2-[4-(6-chloroquinoxalin-2-yloxy) phenoxy] propanoate (CAS No. 119738–06–6) (provided for in subheading 2909.30.40) and any mixtures containing such compound (provided for in subheading 3808.30)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2222. P-NITROBENZOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.70	p-Nitrobenzoic acid (CAS No. 62–23–7) (provided for in subheading 2916.39.45)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2223. P-TOLUENESULFONAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.95	p-Toluenesulfonamide (CAS No. 70–55–3) (provided for in subheading 2935.00.95)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2224. POLYMERS OF TETRAFLUOROETHYLENE, HEXAFLUOROPROPYLENE, AND VINYLIDENE FLUORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.39.04	Polymers of tetrafluoroethylene (provided for in subheading 3904.61.00), hexafluoropropylene and vinylidene fluoride (provided for in subheading 3904.69.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2225. METHYL 2-[[[[[4-(DIMETHYLAMINO)-6-(2,2,2- TRI- FLUOROETHOXY)-1,3,5-TRIAZIN-2-YL]- AMINO]- CARBONYL]AMINO]SULFONYL]-3-METHYL- BENZOATE (TRIFLUSULFURON METHYL).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.11	Methyl 2-[[[[[4- (dimethylamino)-6-(2,2,2- trifluoroethoxy)- 1,3,5-triazin-2-yl]- amino]carbonyl]- amino]sulfonyl]-3-methylbenzoate (triflusulfuron methyl) in mixture with application adjuvants. (CAS No. 126535–15–7) (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2226. CERTAIN MANUFACTURING EQUIPMENT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

‘‘	9902.84.79	Calendaring or other rolling machines for rubber to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8420.10.90, 8420.91.90 or 8420.99.90) and material holding devices or similar attachments thereto	Free	No change	No change	On or before 12/31/2001	
	9902.84.81	Shearing machines to be used to cut metallic tissue for use in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8462.31.00 or subheading 8466.94.85)	Free	No change	No change	On or before 12/31/2001	
	9902.84.83	Machine tools for working wire of iron or steel to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8463.30.00 or 8466.94.85)	Free	No change	No change	On or before 12/31/2001	
	9902.84.85	Extruders to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.20.00 or 8477.90.85)	Free	No change	No change	On or before 12/31/2001	
	9902.84.87	Machinery for molding, retreading, or otherwise forming uncured, unvulcanized rubber to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.51.00 or 8477.90.85)	Free	No change	No change	On or before 12/31/2001	
	9902.84.89	Sector mold press machines to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.51.00 or subheading 8477.90.85)	Free	No change	No change	On or before 12/31/2001	
	9902.84.91	Sawing machines to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8465.91.00 or subheading 8466.92.50)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2227. TEXTURED ROLLED GLASS SHEETS.

Heading 9902.70.03 is amended by striking ‘‘12/31/98’’ and inserting ‘‘12/31/2001’’.

SEC. 2228. CERTAIN HIV DRUG SUBSTANCES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

‘‘	9902.32.43	(S)-N-tert-butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide hydrochloride salt (CAS No. 149057–17–0)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99	
	9902.32.44	(S)-N-tert-butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide sulfate salt (CAS No. 186537–30–4)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99	
	9902.32.45	(3S)-1,2,3,4-tetrahydroisoquinoline-3-carboxylic acid (CAS No. 74163–81–8)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99	’’.

SEC. 2229. RIMSULFURON.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.60	N-[[(4,6-Dimethoxy-2-pyrimidinyl)amino] carbonyl]-3-(ethylsulfonyl)-2-pyridinesulfonamide (CAS No. 122931–48–0) (provided for in subheading 2935.00.75)	8%	No change	No change	On or before 12/31/98	’’.

(b) RATE ADJUSTMENTS.—

(1) RATE FOR 1999.—Heading 9902.33.60, as added by subsection (a), is amended—

(A) by striking ‘‘8%’’ and inserting ‘‘7.3%’’; and

(B) by striking ''12/31/98'' and inserting ''12/31/99''.

(2) RATE FOR 2000.—Heading 9902.33.60, as added by subsection (a), is amended—

(A) by striking ''7.3%'' and inserting ''Free''; and

(B) by striking ''12/31/99'' and inserting ''12/31/2000''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.

(2) ADJUSTMENTS.—

(A) RATE FOR 1999.—The amendments made by subsection (b)(1) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1998.

(B) RATE FOR 2000.—The amendments made by subsection (b)(2) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2230. CARBAMIC ACID (V–9069).

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.33.61	((3-((Dimethylamino)carbonyl)-2-pyridinyl)sulfonyl) carbamic acid, phenyl ester (CAS No. 112006–94–7) (provided for in subheading 2935.00.75) ..	9%	No change	No change	On or before 12/31/98	''.

(b) RATE ADJUSTMENTS.—

(1) RATE FOR 1999.—Heading 9902.33.61, as added by subsection (a), is amended—

(A) by striking ''9%'' and inserting ''8.3%''; and

(B) by striking ''12/31/98'' and inserting ''12/31/99''.

(2) RATE FOR 2000.—Heading 9902.33.61, as added by subsection (a), is amended—

(A) by striking ''8.3%'' and inserting ''7.6%''; and

(B) by striking ''12/31/99'' and inserting ''12/31/2000''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.

(2) ADJUSTMENTS.—

(A) RATE FOR 1999.—The amendments made by subsection (b)(1) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1998.

(B) RATE FOR 2000.—The amendments made by subsection (b)(2) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2231. DPX–E9260.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.33.63	3-(Ethylsulfonyl)-2-pyridinesulfonamide (CAS No. 117671–01–9) (provided for in subheading 2935.00.75)	6%	No change	No change	On or before 12/31/99	''.

(b) RATE ADJUSTMENT.—Heading 9902.33.63, as added by subsection (a), is amended—

(1) by striking ''6%'' and inserting ''5.3%''; and

(2) by striking ''12/31/99'' and inserting ''12/31/2000''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.

(2) ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2232. ZIRAM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.28	Ziram (provided for in subheading 3808.20.28)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2233. FERROBORON.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.72.02	Ferroboron to be used for manufacturing amorphous metal strip (provided for in subheading 7202.99.50)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2234. ACETIC ACID, [[2-CHLORO-4-FLUORO-5-[(TETRA- HYDRO-3-OXO-1H,3H-[1,3,4] THIADIAZOLO[3,4-A]PYRIDAZIN-1-YLIDENE)AMINO]PHENYL]- THIO]-, METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.65	Acetic acid, [[2-chloro-4-fluoro-5-[(tetrahydro-3-oxo-1H,3H-[1,3,4] thiadiazolo- [3,4-A]pyridazin-1-ylidene)amino]phenyl]thio]-, methyl ester (CAS No. 117337–19–6) (provided for in subheading 2934.90.15)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2235. PENTYL[2-CHLORO-5-(CYCLOHEX-1-ENE-1,2-DI- CARBOXIMIDO)-4-FLUOROPHENOXY]ACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.33.66	Pentyl[2-chloro-5- (cyclohex-1-ene-1,2-dicarboximido)-4-fluorophenoxy]acetate (CAS No.87546-18-7) (provided for in subheading 2925.19.40)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2236. BENTAZON (3-ISOPROPYL)-1H-2,1,3-BENZO-THIADIAZIN-4(3H)-ONE-2,2-DIOXIDE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.67	Bentazon (3-Isopropyl)-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide) (CAS No. 50723–80–3) (provided for in subheading 2934.90.11)	5.0%	No change	No change	On or before 12/31/2001	’’.

SEC. 2237. CERTAIN HIGH-PERFORMANCE LOUDSPEAKERS NOT MOUNTED IN THEIR ENCLOSURES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.85.20	Loudspeakers not mounted in their enclosures (provided for in subheading 8518.29.80), the foregoing which meet a performance standard of not more than 1.5 dB for the average level of 3 or more octave bands, when such loudspeakers are tested in a reverberant chamber	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2238. PARTS FOR USE IN THE MANUFACTURE OF CERTAIN HIGH-PERFORMANCE LOUDSPEAKERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.85.21	Parts for use in the manufacture of loudspeakers of a type described in subheading 9902.85.20 (provided for in subheading 8518.90.80)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2239. 5-TERTIARY BUTYL-ISOPHTHALIC ACID.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.12	5-tertiary butyl-isophthalic acid (CAS No. 2359–09–3) (provided for in subheading 2917.39.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2240. CERTAIN POLYMER.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.39.07	A polymer of the following monomers: 1,4-benzenedicarboxylic acid, dimethyl ester (dimethyl terephthalate) (CAS No. 120-61-6); 1,3-Benzenedicarboxylic acid, 5-sulfo-, 1,3-dimethyl ester, sodium salt (sodium dimethyl sulfoisophthalate) (CAS No. 3965-55-7); 1,2-ethanediol (ethylene glycol) (CAS No. 107-21-1); and 1,2-propanediol (propylene glycol) (CAS No. 57-55-6); with terminal units from 2-(2-hydroxyethoxy) ethanesulfonic acid, sodium salt (CAS No. 53211-00-0) (provided for in subheading 3907.99.00)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2241. 2, (4-CHLOROPHENOL)-3-ETHYL-2, 5-DIHYDRO-5-OXO-4-PYRIDAZINE CARBOXYLIC ACID, POTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.33.16	2, (4-chlorophenol)-3-ethyl-2, 5-dihydro-5-oxo-4-pyridazine carboxylic acid, potassium salt (CAS No. 82697–71–0) (provided for in subheading 2933.90.79)	Free	No change	No change	On or before 12/31/2001	’’.

CHAPTER 3—EFFECTIVE DATE

SEC. 2301. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, the amendments made by this subtitle apply to goods entered, or withdrawn from warehouse for consumption, after the date that is 15 days after the date of enactment of this Act.

Subtitle B—Other Trade Provisions

SEC. 2401. EXTENSION OF UNITED STATES INSULAR POSSESSION PROGRAM.

(a) IN GENERAL.—The additional U.S. notes to chapter 71 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following new note:

‘‘3.(a) Notwithstanding any provision in additional U.S. note 5 to chapter 91, any article of jewelry provided for in heading 7113 which is the product of the Virgin Islands, Guam, or American Samoa (including any such article which contains any foreign component) shall be eligible for the benefits provided in paragraph (h) of additional U.S. note 5 to chapter 91, subject to the provisions and limitations of that note and of paragraphs (b), (c), and (d) of this note.

‘‘(b) Nothing in this note shall result in an increase or a decrease in the aggregate amount referred to in paragraph (h)(iii) of, or the quantitative limitation otherwise established pursuant to the requirements of, additional U.S. note 5 to chapter 91.

‘‘(c) Nothing in this note shall be construed to permit a reduction in the amount available to watch producers under paragraph (h)(iv) of additional U.S. note 5 to chapter 91.

‘‘(d) The Secretary of Commerce and the Secretary of the Interior shall issue such regulations, not inconsistent with the provisions of this note and additional U.S. note 5 to chapter 91, as the Secretaries determine necessary to carry out their respective duties under this note. Such regulations shall not be inconsistent with substantial transformation requirements but may define the circumstances under which articles of jewelry shall be deemed to be ‘units’ for purposes of the benefits, provisions, and limitations of additional U.S. note 5 to chapter 91.

‘‘(e) Notwithstanding any other provision of law, during the 2-year period beginning on January 1, 1999, any article of jewelry provided for in heading 7113 that is assembled in the Virgin Islands, Guam, or American Samoa shall be treated as a product of the Virgin Islands, Guam, or American Samoa for purposes of this note and General Note 3(a)(iv) of this Schedule.’’.

(b) CONFORMING AMENDMENT.—General Note 3(a)(iv)(A) of the Harmonized Tariff Schedule of the United States is amended by inserting ‘‘and additional U.S. note 3(e) of chapter 71,’’ after ‘‘Tax Reform Act of 1986,’’.

(c) EFFECTIVE DATE.—The amendments made by this section take effect January 1, 1999.

SEC. 2402. TARIFF TREATMENT FOR CERTAIN COMPONENTS OF SCIENTIFIC INSTRUMENTS AND APPARATUS.

(a) IN GENERAL.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended in subdivision (a) by adding at the end the following new sentence: ‘‘The term ‘instruments and apparatus’ under subheading 9810.00.60 includes separable components of an instrument or apparatus listed in this subdivision that are imported for assembly in the United States in such instrument or apparatus where the instrument or apparatus, due to its size, cannot be feasibly imported in its assembled state.’’.

(b) APPLICATION OF DOMESTIC EQUIVALENCY TEST TO COMPONENTS.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by redesignating subdivisions (d) through (f) as subdivisions (e) through (g), respectively; and

(2) by inserting after subdivision (c) the following:

‘‘(d)(i) If the Secretary of Commerce determines under this U.S. note that an instrument or apparatus is being manufactured in the United States that is of equivalent scientific value to a foreign-origin instrument or apparatus for which application is made (but which, due to its size, cannot be feasibly

imported in its assembled state), the Secretary shall report the findings to the Secretary of the Treasury and to the applicant institution, and all components of such foreign-origin instrument or apparatus shall remain dutiable.

''(ii) If the Secretary of Commerce determines that the instrument or apparatus for which application is made is not being manufactured in the United States, the Secretary is authorized to determine further whether any component of such instrument or apparatus of a type that may be purchased, obtained, or imported separately is being manufactured in the United States and shall report the findings to the Secretary of the Treasury and to the applicant institution, and any component found to be domestically available shall remain dutiable.

''(iii) Any decision by the Secretary of the Treasury which allows for duty-free entry of a component of an instrument or apparatus which, due to its size cannot be feasibly imported in its assembled state, shall be effective for a specified maximum period, to be determined in consultation with the Secretary of Commerce, taking into account both the scientific needs of the importing institution and the potential for development of comparable domestic manufacturing capacity.''.

(c) MODIFICATIONS OF REGULATIONS.—The Secretary of the Treasury and the Secretary of Commerce shall make such modifications to their joint regulations as are necessary to carry out the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect beginning 120 days after the date of the enactment of this Act.

SEC. 2403. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES.

(a) LIQUIDATION OR RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries made at Los Angeles, California, and New Orleans, Louisiana, which are listed in subsection (c), in accordance with the final decision of the International Trade Administration of the Department of Commerce for shipments entered between October 1, 1984, and December 14, 1987 (case number A–274–001).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry number	Date of entry	Port
322 00298563	12/11/86	Los Angeles, California
0322 00300567	12/11/86	Los Angeles, California
86–2909242	9/2/86	New Orleans, Louisiana
87–05457388	1/9/87	New Orleans, Louisiana

SEC. 2404. DRAWBACK AND REFUND ON PACKAGING MATERIAL.

(a) IN GENERAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is further amended—

(1) by striking ''Packaging material'' and inserting the following:

''(1) IN GENERAL.—Packaging material''; and

(2) by adding at the end the following:

''(2) ADDITIONAL ELIGIBILITY.—Packaging material produced in the United States, which is used by the manufacturer or any other person on or for articles which are exported or destroyed under subsection (a) or (b), shall be eligible under such subsection for refund, as drawback, of 99 percent of any duty, tax, or fee imposed on the importation of such material used to manufacture or produce the packaging material.''.

(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 2405. INCLUSION OF COMMERCIAL IMPORTATION DATA FROM FOREIGN-TRADE ZONES UNDER THE NATIONAL CUSTOMS AUTOMATION PROGRAM.

Section 411 of the Tariff Act of 1930 (19 U.S.C. 1411) is amended by adding at the end the following:

''(c) FOREIGN-TRADE ZONES.—Not later than January 1, 2000, the Secretary shall provide for the inclusion of commercial importation data from foreign-trade zones under the Program.''.

SEC. 2406. LARGE YACHTS IMPORTED FOR SALE AT UNITED STATES BOAT SHOWS.

(a) IN GENERAL.—The Tariff Act of 1930 (19 U.S.C. 1304 et seq.) is amended by inserting after section 484a the following:

''SEC. 484b. DEFERRAL OF DUTY ON LARGE YACHTS IMPORTED FOR SALE AT UNITED STATES BOAT SHOWS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, any vessel meeting the definition of a large yacht as provided in subsection (b) and which is otherwise dutiable may be imported without the payment of duty if imported with the intention to offer for sale at a boat show in the United States. Payment of duty shall be deferred, in accordance with this section, until such large yacht is sold.

''(b) DEFINITION.—As used in this section, the term 'large yacht' means a vessel that exceeds 79 feet in length, is used primarily for recreation or pleasure, and has been previously sold by a manufacturer or dealer to a retail consumer.

''(c) DEFERRAL OF DUTY.—At the time of importation of any large yacht, if such large yacht is imported for sale at a boat show in the United States and is otherwise dutiable, duties shall not be assessed and collected if the importer of record—

''(1) certifies to the Customs Service that the large yacht is imported pursuant to this section for sale at a boat show in the United States; and

''(2) posts a bond, which shall have a duration of 6 months after the date of importation, in an amount equal to twice the amount of duty on the large yacht that would otherwise be imposed under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States.

''(d) PROCEDURES UPON SALE.—

''(1) DEPOSIT OF DUTY.—If any large yacht (which has been imported for sale at a boat show in the United States with the deferral of duties as provided in this section) is sold within the 6-month period after importation—

''(A) entry shall be completed and duty (calculated at the applicable rates provided for under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States and based upon the value of the large yacht at the time of importation) shall be deposited with the Customs Service; and

''(B) the bond posted as required by subsection (c)(2) shall be returned to the importer.

''(e) PROCEDURES UPON EXPIRATION OF BOND PERIOD.—

''(1) IN GENERAL.—If the large yacht entered with deferral of duties is neither sold nor exported within the 6-month period after importation—

''(A) entry shall be completed and duty (calculated at the applicable rates provided for under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States and based upon the value of the large yacht at the time of importation) shall be deposited with the Customs Service; and

''(B) the bond posted as required by subsection (c)(2) shall be returned to the importer.

''(2) ADDITIONAL REQUIREMENTS.—No extensions of the bond period shall be allowed. Any large yacht exported in compliance with the bond period may not be reentered for purposes of sale at a boat show in the United States (in order to receive duty deferral benefits) for a period of 3 months after such exportation.

''(f) REGULATIONS.—The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any large yacht imported into the United States after the date that is 15 days after the date of the enactment of this Act.

SEC. 2407. REVIEW OF PROTESTS AGAINST DECISIONS OF CUSTOMS SERVICE.

Section 515(a) of the Tariff Act of 1930 (19 U.S.C. 1515(a)) is amended by inserting after the third sentence the following: ''Within 30 days from the date an application for further review is filed, the appropriate customs officer shall allow or deny the application and, if allowed, the protest shall be forwarded to the customs officer who will be conducting the further review.''.

SEC. 2408. ENTRIES OF NAFTA-ORIGIN GOODS.

(a) REFUND OF MERCHANDISE PROCESSING FEES.—Section 520(d) of the Tariff Act of 1930 (19 U.S.C. 1520(d)) is amended in the matter preceding paragraph (1) by inserting ''(including any merchandise processing fees)'' after ''excess duties''.

(b) PROTEST AGAINST DECISION OF CUSTOMS SERVICE RELATING TO NAFTA CLAIMS.—Section 514(a)(7) of such Act (19 U.S.C. 1514(a)(7)) is amended by striking ''section 520(c)'' and inserting ''subsection (c) or (d) of section 520''.

(c) EFFECTIVE DATE.—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 2409. TREATMENT OF INTERNATIONAL TRAVEL MERCHANDISE HELD AT CUSTOMS-APPROVED STORAGE ROOMS.

Section 557(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1557(a)(1)) is amended in the first sentence by inserting ''(including international travel merchandise)'' after ''Any merchandise subject to duty''.

SEC. 2410. EXCEPTION TO 5-YEAR REVIEWS OF COUNTERVAILING DUTY OR ANTI-DUMPING DUTY ORDERS.

Section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) is amended by adding at the end the following:

''(7) EXCLUSIONS FROM COMPUTATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), there shall be excluded from the computation of the 5-year period described in paragraph (1) and the periods described in paragraph (6) any period during which the importation of the subject merchandise is prohibited on account of the imposition, under the International Emergency Economic Powers Act or other provision of law, of sanctions by the United States against the country in which the subject merchandise originates.

''(B) APPLICATION OF EXCLUSION.—Subparagraph (A) shall apply only with respect to subject merchandise which originates in a country that is not a WTO member.''.

SEC. 2411. WATER RESISTANT WOOL TROUSERS.

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service within 180 days after the date of enactment of this Act, any entry or withdrawal from warehouse for consumption—

(1) that was made after December 31, 1988, and before January 1, 1995; and

(2) that would have been classifiable under subheading 6203.41.05 or 6204.61.10 of the Harmonized Tariff Schedule of the United States and would have had a lower rate of duty, if such entry or withdrawal had been made on January 1, 1995,

shall be liquidated or reliquidated as if such entry or withdrawal had been made on January 1, 1995.

SEC. 2412. REIMPORTATION OF CERTAIN GOODS.

(a) IN GENERAL.—Subchapter I of chapter 98 is amended by inserting in numerical sequence the following new heading:

''	9801.00.26	Articles, previously imported, with respect to which the duty was paid upon such previous importation, if (1) exported within 3 years after the date of such previous importation, (2) sold for exportation and exported to individuals for personal use, (3) reimported without having been advanced in value or improved in condition by any process of manufacture or other means while abroad, (4) reimported as personal returns from those individuals, whether or not consolidated with other personal returns prior to reimportation, and (5) reimported by or for the account of the person who exported them from the United States within 1 year of such exportation	Free		Free	''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods described in heading 9801.00.26 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) that are reimported into the United States on or after the date that is 15 days after the date of enactment of this Act.

SEC. 2413. TREATMENT OF PERSONAL EFFECTS OF PARTICIPANTS IN CERTAIN WORLD ATHLETIC EVENTS.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9902.98.08	Any of the following articles not intended for sale or distribution to the public: personal effects of aliens who are participants in, officials of, or accredited members of delegations to, the 1999 International Special Olympics, the 1999 Women's World Cup Soccer, the 2001 International Special Olympics, the 2002 Salt Lake City Winter Olympics, and the 2002 Winter Paralympic Games, and of persons who are immediate family members of or servants to any of the foregoing persons; equipment and materials imported in connection with the foregoing events by or on behalf of the foregoing persons or the organizing committees of such events; articles to be used in exhibitions depicting the culture of a country participating in any such event; and, if consistent with the foregoing, such other articles as the Secretary of Treasury may allow	Free	No change	Free	On or before 12/31/2002	''.

(b) TAXES AND FEES NOT TO APPLY.—The articles described in heading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) shall be free of taxes and fees which may be otherwise applicable.

(c) NO EXEMPTION FROM CUSTOMS INSPECTIONS.—The articles described in heading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) shall not be free or otherwise exempt or excluded from routine or other inspections as may be required by the Customs Service.

(d) EFFECTIVE DATE.—The amendment made by this section applies to articles entered, or withdrawn from warehouse, for consumption on or after October 1, 1998.

SEC. 2414. RELIQUIDATION OF CERTAIN ENTRIES OF THERMAL TRANSFER MULTIFUNCTION MACHINES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 8517.21.00 of the Harmonized Tariff Schedule of the United States (relating to indirect electrostatic copiers) or subheading 9009.12.00 of such Schedule (relating to indirect electrostatic copiers), at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 8471.60.65 of the Harmonized Tariff Schedule of the United States (relating to other automated data processing (ADP) thermal transfer printer units) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a), filed at the port of Los Angeles, are as follows:

Date of entry	Entry number	Liquidation date
01/17/97	112–9638417–3	02/21/97
01/10/97	112–9637684–9	03/07/97
01/03/97	112–9636723–6	04/18/97
01/07/97	112–9637561–9	04/25/97
01/10/97	112–9637686–4	03/07/97
02/21/97	112–9642157–9	09/12/97
02/14/97	112–9641619–9	06/06/97
02/14/97	112–9641693–4	06/06/97
02/21/97	112–9642156–1	09/12/97
02/28/97	112–9643326–9	09/12/97
03/18/97	112–9645336–6	09/19/97
03/21/97	112–9645682–3	09/19/97
03/21/97	112–9645681–5	09/19/97
03/21/97	112–9645698–9	09/19/97
03/14/97	112–9645026–3	09/19/97
03/14/97	112–9645041–2	09/19/97
03/20/97	112–9646075–9	09/19/97
03/14/97	112–9645026–3	09/19/97
04/04/97	112–9647309–1	09/19/97
04/04/97	112–9647312–5	09/19/97
04/04/97	112–9647316–6	09/19/97
04/11/97	112–9300151–5	10/31/97
04/11/97	112–9300287–7	09/26/97
04/11/97	112–9300308–1	02/20/98
04/10/97	112–9300356–0	09/26/97
04/16/97	112–9301387–4	09/26/97
04/22/97	112–9301602–6	09/26/97
04/18/97	112–9301627–3	09/26/97
04/21/97	112–9301615–8	09/26/97
04/25/97	112–9302445–9	10/31/97
04/25/97	112–9302298–2	09/26/97
04/25/97	112–9302205–7	09/26/97
04/04/97	112–9302371–7	09/26/97
05/26/97	112–9305730–1	09/26/97
05/21/97	112–9305527–1	09/26/97
05/30/97	112–9306718–5	09/26/97
05/19/97	112–9304958–9	09/26/97
05/16/97	112–9305030–6	09/26/97
05/07/97	112–9303702–2	09/26/97
05/09/97	112–9303707–1	09/26/97
05/10/97	112–9304256–8	09/26/97
05/31/97	112–9306470–3	09/26/97
05/02/97	112–9302717–1	09/19/97
06/20/97	112–9308793–6	09/26/97
06/18/97	112–9308717–5	09/26/97
06/16/97	112–9308538–5	09/26/97
06/09/97	112–9307568–3	09/26/97
06/06/97	112–9307144–3	09/26/97

SEC. 2415. RELIQUIDATION OF CERTAIN DRAWBACK ENTRIES AND REFUND OF DRAWBACK PAYMENTS.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 or any other provision of law, the Customs Service shall, not later than 180 days after the date of enactment of this Act, liquidate or reliquidate the entries described in subsection (b) and any amounts owed by the United States pursuant to the liquidation or reliquidation shall be refunded with interest, subject to the provisions of Treasury Decision 86–126(M) and Customs Service Ruling No. 224697, dated November 17, 1994.

(b) ENTRIES DESCRIBED.—The entries described in this subsection are the following:

Entry number:	Date of entry:
855218319	July 18, 1985
855218429	August 15, 1985
855218649	September 13, 1985

866000134	October 4, 1985
866000257	November 14, 1985
866000299	December 9, 1985
866000451	January 14, 1986
866001052	February 13, 1986
866001133	March 7, 1986
866001269	April 9, 1986
866001366	May 9, 1986
866001463	June 6, 1986
866001573	July 7, 1986
866001586	July 7, 1986
866001599	July 7, 1986
866001913	August 8, 1986
866002255	September 10, 1986
866002297	September 23, 1986
03200000010	October 3, 1986
03200000028	November 13, 1986
03200000036	November 26, 1986.

SEC. 2416. CLARIFICATION OF ADDITIONAL U.S. NOTE 4 TO CHAPTER 91 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

Additional U.S. note 4 of chapter 91 of the Harmonized Tariff Schedule of the United States is amended in the matter preceding subdivision (a), by striking the comma after ''stamping'' and inserting ''(including by means of indelible ink),''.

SEC. 2417. DUTY-FREE SALES ENTERPRISES.

Section 555(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1555(b)(2)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following new subparagraph:

''(C) a port of entry, as established under section 1 of the Act of August 24, 1912 (37 Stat. 434) or 25 statute miles of a staffed port of entry if reasonable assurance can be provided that duty-free merchandise sold by the enterprise will be exported by individuals departing from the customs territory through an international airport located within the customs territory.''.

SEC. 2418. CUSTOMS USER FEES.

(a) ADDITIONAL PRECLEARANCE ACTIVITIES.—Section 13031(f)(3)(A)(iii) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)(A)(iii)) is amended to read as follows:

''(iii) to the extent funds remain available after making reimbursements under clause (ii), in providing salaries for up to 50 full-time equivalent inspectional positions to provide preclearance services.''.

(b) COLLECTION OF FEES FOR PASSENGERS ABOARD COMMERCIAL VESSELS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended—

(1) in subsection (a), by amending paragraph (5) to read as follows:

''(5)(A) Subject to subparagraph (B), for the arrival of each passenger aboard a commercial vessel or commercial aircraft from a place outside the United States (other than a place referred to in subsection (b)(1)(A)(i) of this section), $5.

''(B) For the arrival of each passenger aboard a commercial vessel from a place referred to in subsection (b)(1)(A)(i) of this section, $1.75''; and

(2) in subsection (b)(1)(A), by striking ''(A) No fee'' and inserting ''(A) Except as provided in subsection (a)(5)(B) of this section, no fee''.

(c) USE OF MERCHANDISE PROCESSING FEES FOR AUTOMATED COMMERCIAL SYSTEMS.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended by adding at the end the following:

''(6) Of the amounts collected in fiscal year 1999 under paragraphs (9) and (10) of subsection (a), $50,000,000 shall be available to the Customs Service, subject to appropriations Acts, for automated commercial systems. Amounts made available under this paragraph shall remain available until expended.''.

(d) ADVISORY COMMITTEE.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(k) ADVISORY COMMITTEE.—The Commissioner of Customs shall establish an advisory committee whose membership shall consist of representatives from the airline, cruise ship, and other transportation industries who may be subject to fees under subsection (a). The advisory committee shall not be subject to termination under section 14 of the Federal Advisory Committee Act. The advisory committee shall meet on a periodic basis and shall advise the Commissioner on issues related to the performance of the inspectional services of the United States Customs Service. Such advice shall include, but not be limited to, such issues as the time periods during which such services should be performed, the proper number and deployment of inspection officers, the level of fees, and the appropriateness of any proposed fee. The Commissioner shall give consideration to the views of the advisory committee in the exercise of his or her duties.''.

(e) NATIONAL CUSTOMS AUTOMATION TEST REGARDING RECONCILIATION.—Section 505(c) of the Tariff Act of 1930 (19 U.S.C. 1505(c)) is amended by adding at the end the following: ''For the period beginning on October 1, 1998, and ending on the date on which the 'Revised National Customs Automation Test Regarding Reconciliation' of the Customs Service is terminated, or October 1, 2000, whichever occurs earlier, the Secretary may prescribe an alternative mid-point interest accounting methodology, which may be employed by the importer, based upon aggregate data in lieu of accounting for such interest from each deposit data provided in this subsection.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act.

SEC. 2419. DUTY DRAWBACK FOR METHYL TERTIARY-BUTYL ETHER (''MTBE'').

(a) IN GENERAL.—Section 313(p)(3)(A)(i)(I) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(3)(A)(i)(I)) is amended by striking ''and 2902'' and inserting ''2902, and 2909.19.14''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act, and shall apply to drawback claims filed on and after such date.

SEC. 2420. SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.

(a) IN GENERAL.—Section 313(p)(1) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(1)) is amended in the matter following subparagraph (C) by striking ''the amount of the duties paid on, or attributable to, such qualified article shall be refunded as drawback to the drawback claimant.'' and inserting ''drawback shall be allowed as described in paragraph (4).''.

(b) REQUIREMENTS.—Section 313(p)(2) of such Act (19 U.S.C. 1313(p)(2)) is amended—

(1) in subparagraph (A)—

(A) in clauses (i), (ii), and (iii), by striking ''the qualified article'' each place it appears and inserting ''a qualified article''; and

(B) in clause (iv), by striking ''an imported' and inserting ''a''; and

(2) in subparagraph (G), by inserting ''transferor,'' after ''importer,''.

(c) QUALIFIED ARTICLE DEFINED, ETC.—Section 313(p)(3) of such Act (19 U.S.C. 1313(p)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking ''liquids, pastes, powders, granules, and flakes'' and inserting ''the primary forms provided under Note 6 to chapter 39 of the Harmonized Tariff Schedule of the United States''; and

(B) in clause (ii)—

(i) in subclause (I) by striking ''or'' at the end;

(ii) in subclause (II) by striking the period and inserting '', or''; and

(iii) by adding after subclause (II) the following:

''(III) an article of the same kind and quality as described in subparagraph (B), or any combination thereof, that is transferred, as so certified in a certificate of delivery or certificate of manufacture and delivery in a quantity not greater than the quantity of articles purchased or exchanged.

The transferred merchandise described in subclause (III), regardless of its origin, so designated on the certificate of delivery or certificate of manufacture and delivery shall be the qualified article for purposes of this section. A party who issues a certificate of delivery, or certificate of manufacture and delivery, shall also certify to the Commissioner of Customs that it has not, and will not, issue such certificates for a quantity greater than the amount eligible for drawback and that appropriate records will be maintained to demonstrate that fact.'';

(2) in subparagraph (B), by striking ''exported article'' and inserting ''article, including an imported, manufactured, substituted, or exported article,''; and

(3) in the first sentence of subparagraph (C), by striking ''such article.'' and inserting ''either the qualified article or the exported article.''.

(d) LIMITATION ON DRAWBACK.—Section 313(p)(4)(B) of such Act (19 U.S.C. 1313(p)(4)(B)) is amended by inserting before the period at the end the following: ''had the claim qualified for drawback under subsection (j)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendment made by section 632(a)(6) of the North American Free Trade Agreement Implementation Act. For purposes of section 632(b) of that Act, the 3-year requirement set forth in section 313(r) of the Tariff Act of 1930 shall not apply to any drawback claim filed within 6 months after the date of the enactment of this Act for which that 3-year period would have expired.

SEC. 2421. DUTY ON CERTAIN IMPORTATIONS OF MUESLIX CEREALS.

(a) BEFORE JANUARY 1, 1996.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1991, and before January 1, 1996, of mueslix cereal, which was classified under the special column rate applicable for Canada in subheading 2008.92.10 of the Harmonized Tariff Schedule of the United States—

(1) shall be liquidated or reliquidated as if the special column rate applicable for Canada in subheading 1904.10.00 of such Schedule applied at the time of such entry or withdrawal; and

(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the appropriate applicable rate.

(b) AFTER DECEMBER 31, 1995.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1995, and before January 1, 1998, of mueslix cereal, which was classified under the special column rate applicable for Canada in subheading 1904.20.10 of the Harmonized Tariff Schedule of the United States—

(1) shall be liquidated or reliquidated as if the special column rate applicable for Canada in subheading 1904.10.00 of such Schedule

applied at the time of such entry or withdrawal; and

(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the appropriate applicable rate.

SEC. 2422. EXPANSION OF FOREIGN TRADE ZONE NO. 143.

(a) EXPANSION OF FOREIGN TRADE ZONE.—The Foreign Trade Zones Board shall expand Foreign Trade Zone No. 143 to include areas in the vicinity of the Chico Municipal Airport in accordance with the application submitted by the Sacramento-Yolo Port District of Sacramento, California, to the Board on March 11, 1997.

(b) OTHER REQUIREMENTS NOT AFFECTED.—The expansion of Foreign Trade Zone No. 143 under subsection (a) shall not relieve the Port of Sacramento of any requirement under the Foreign Trade Zones Act, or under regulations of the Foreign Trade Zones Board, relating to such expansion.

SEC. 2423. MARKING OF CERTAIN SILK PRODUCTS AND CONTAINERS.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended—

(1) by redesignating subsections (h), (i), (j), and (k) as subsections (i), (j), (k), and (l), respectively; and

(2) by inserting after subsection (g) the following new subsection:

''(h) MARKING OF CERTAIN SILK PRODUCTS.—The marking requirements of subsections (a) and (b) shall not apply either to—

''(1) articles provided for in subheading 6214.10.10 of the Harmonized Tariff Schedule of the United States, as in effect on January 1, 1997; or

''(2) goods provided for in heading 5007 of the Harmonized Tariff Schedule of the United States, as in effect on January 1, 1997.''.

(b) CONFORMING AMENDMENT.—Section 304(j) of such Act, as redesignated by subsection (a)(1) of this section, is amended by striking ''subsection (h)'' and inserting ''subsection (i)''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the date of the enactment of this Act.

SEC. 2424. EXTENSION OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO THE PRODUCTS OF MONGOLIA.

(a) FINDINGS.—The Congress finds that Mongolia—

(1) has received normal trade relations treatment since 1991 and has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974;

(2) has emerged from nearly 70 years of communism and dependence on the former Soviet Union, approving a new constitution in 1992 which has established a modern parliamentary democracy charged with guaranteeing fundamental human rights, freedom of expression, and an independent judiciary;

(3) has held 4 national elections under the new constitution, 2 presidential and 2 parliamentary, thereby solidifying the nation's transition to democracy;

(4) has undertaken significant market-based economic reforms, including privatization, the reduction of government subsidies, the elimination of most price controls and virtually all import tariffs, and the closing of insolvent banks;

(5) has concluded a bilateral trade treaty with the United States in 1991, and a bilateral investment treaty in 1994;

(6) has acceded to the Agreement Establishing the World Trade Organization, and extension of unconditional normal trade relations treatment to the products of Mongolia would enable the United States to avail itself of all rights under the World Trade Organization with respect to Mongolia; and

(7) has demonstrated a strong desire to build friendly relationships and to cooperate fully with the United States on trade matters.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO MONGOLIA.—

(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(A) determine that such title should no longer apply to Mongolia; and

(B) after making a determination under subparagraph (A) with respect to Mongolia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Mongolia, title IV of the Trade Act of 1974 shall cease to apply to that country.

SEC. 2425. ENHANCED CARGO INSPECTION PILOT PROGRAM.

(a) IN GENERAL.—The Commissioner of the Customs Service is authorized to establish a 1-year pilot program for fiscal year 1999 to provide 24-hour cargo inspection service on a fee-for-service basis at an international airport described in subsection (b). The Commissioner may extend the pilot program for fiscal years after fiscal year 1999 if the Commissioner determines that the extension is warranted.

(b) AIRPORT DESCRIBED.—The international airport described in this subsection is a multi-modal international airport that—

(1) is located adjacent to a seaport; and

(2) serviced more than 185,000 tons of air cargo in 1997.

SEC. 2426. PAYMENT OF EDUCATION COSTS OF DEPENDENTS OF CERTAIN CUSTOMS SERVICE PERSONNEL.

Notwithstanding section 2164 of title 10, United States Code, the Department of Defense shall permit the dependent children of deceased United States Customs Aviation Group Supervisor Pedro J. Rodriquez attending the Antilles Consolidated School System at Ford Buchanan, Puerto Rico, to complete their primary and secondary education at this school system without cost to such children or any parent, relative, or guardian of such children. The United States Customs Service shall reimburse the Department of Defense for reasonable education expenses to cover these costs.

TITLE III—AMENDMENTS TO INTERNAL REVENUE CODE OF 1986

SEC. 3001. PROPERTY SUBJECT TO A LIABILITY TREATED IN SAME MANNER AS ASSUMPTION OF LIABILITY.

(a) REPEAL OF PROPERTY SUBJECT TO A LIABILITY TEST.—

(1) SECTION 357.—Section 357(a)(2) of the Internal Revenue Code of 1986 (relating to assumption of liability) is amended by striking '', or acquires from the taxpayer property subject to a liability''.

(2) SECTION 358.—Section 358(d)(1) of such Code (relating to assumption of liability) is amended by striking ''or acquired from the taxpayer property subject to a liability''.

(3) SECTION 368.—

(A) Section 368(a)(1)(C) of such Code is amended by striking '', or the fact that property acquired is subject to a liability,''.

(B) The last sentence of section 368(a)(2)(B) of such Code is amended by striking '', and the amount of any liability to which any property acquired from the acquiring corporation is subject,''.

(b) CLARIFICATION OF ASSUMPTION OF LIABILITY.—

(1) IN GENERAL.—Section 357 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) DETERMINATION OF AMOUNT OF LIABILITY ASSUMED.—

''(1) IN GENERAL.—For purposes of this section, section 358(d), section 362(d), section 368(a)(1)(C), and section 368(a)(2)(B), except as provided in regulations—

''(A) a recourse liability (or portion thereof) shall be treated as having been assumed if, as determined on the basis of all facts and circumstances, the transferee has agreed to, and is expected to, satisfy such liability (or portion), whether or not the transferor has been relieved of such liability; and

''(B) except to the extent provided in paragraph (2), a nonrecourse liability shall be treated as having been assumed by the transferee of any asset subject to such liability.

''(2) EXCEPTION FOR NONRECOURSE LIABILITY.—The amount of the nonrecourse liability treated as described in paragraph (1)(B) shall be reduced by the lesser of—

''(A) the amount of such liability which an owner of other assets not transferred to the transferee and also subject to such liability has agreed with the transferee to, and is expected to, satisfy, or

''(B) the fair market value of such other assets (determined without regard to section 7701(g)).

''(3) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection and section 362(d). The Secretary may also prescribe regulations which provide that the manner in which a liability is treated as assumed under this subsection is applied, where appropriate, elsewhere in this title.''

(2) LIMITATION ON BASIS INCREASE ATTRIBUTABLE TO ASSUMPTION OF LIABILITY.—Section 362 of such Code is amended by adding at the end the following new subsection:

''(d) LIMITATION ON BASIS INCREASE ATTRIBUTABLE TO ASSUMPTION OF LIABILITY.—

''(1) IN GENERAL.—In no event shall the basis of any property be increased under subsection (a) or (b) above the fair market value of such property (determined without regard to section 7701(g)) by reason of any gain recognized to the transferor as a result of the assumption of a liability.

''(2) TREATMENT OF GAIN NOT SUBJECT TO TAX.—Except as provided in regulations, if—

''(A) gain is recognized to the transferor as a result of an assumption of a nonrecourse liability by a transferee which is also secured by assets not transferred to such transferee; and

''(B) no person is subject to tax under this title on such gain,

then, for purposes of determining basis under subsections (a) and (b), the amount of gain recognized by the transferor as a result of the assumption of the liability shall be determined as if the liability assumed by the transferee equaled such transferee's ratable portion of such liability determined on the basis of the relative fair market values (determined without regard to section 7701(g)) of all of the assets subject to such liability.''.

(c) APPLICATION TO PROVISIONS OTHER THAN SUBCHAPTER C.—

(1) SECTION 584.—Section 584(h)(3) of the Internal Revenue Code of 1986 is amended—

(A) by striking '', and the fact that any property transferred by the common trust fund is subject to a liability,'' in subparagraph (A); and

(B) by striking clause (ii) of subparagraph (B) and inserting:

''(ii) ASSUMED LIABILITIES.—For purposes of clause (i), the term 'assumed liabilities' means any liability of the common trust

fund assumed by any regulated investment company in connection with the transfer referred to in paragraph (1)(A).

''(C) ASSUMPTION.—For purposes of this paragraph, in determining the amount of any liability assumed, the rules of section 357(d) shall apply.''

(2) SECTION 1031.—The last sentence of section 1031(d) of such Code is amended—

(A) by striking ''assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability'' and inserting ''assumed (as determined under section 357(d)) a liability of the taxpayer''; and

(B) by striking ''or acquisition (in the amount of the liability)''.

(d) CONFORMING AMENDMENTS.—

(1) Section 351(h)(1) of the Internal Revenue Code of 1986 is amended by striking '', or acquires property subject to a liability,''.

(2) Section 357 of such Code is amended by striking ''or acquisition'' each place it appears in subsection (a) or (b).

(3) Section 357(b)(1) of such Code is amended by striking ''or acquired''.

(4) Section 357(c)(1) of such Code is amended by striking '', plus the amount of the liabilities to which the property is subject,''.

(5) Section 357(c)(3) of such Code is amended by striking ''or to which the property transferred is subject''.

(6) Section 358(d)(1) of such Code is amended by striking ''or acquisition (in the amount of the liability)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers after October 18, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. CRANE) and the gentleman from California (Mr. MATSUI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. CRANE).

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4856.

The SPEAKER pro tempore. Is there objection to the request of the gentleman Illinois?

There was no objection.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 4856. This legislation consists of a number of noncontroversial provisions which have been under review by the Committee on Ways and Means for the past 2 years. Each of these items enjoys bipartisan support, and many have been passed by the House in other pieces of legislation.

The first section of the bill contains several technical corrections and miscellaneous amendments to trade laws, each of which have been reviewed by the administration as well as interested parties in the private sector. In addition to clerical corrections to trade statutes, these provisions contain various tariff suspensions and reductions, many of which apply to anti-HIV/AIDS and anti-cancer drugs as well as environmentally friendly chemical substitutes.

The second category of provisions in the bill enables the U.S. Customs Service to provide enhanced service to air and sea passengers entering the United States. Specifically, the bill provides the necessary resources to allow Customs to continue to dedicate inspectors at airports in Canada, Bermuda and the Bahamas to facilitate the transit of U.S. bound air passengers before they reach the United States. The bill also provides the necessary resources to allow Customs to continue to dedicate inspectors to facilitate the transit of vessel passengers arriving at our seaports. These enhanced services will be provided out of the surplus in a specifically dedicated Customs user fee account. In addition, the bill assesses a $1.75 user fee on affected cruise ship passengers who currently pay nothing to the user fee account to offset the cost of providing dedicated cruise ship passenger service.

The third section of the bill authorizes the President to determine that title IV of the Trade Act of 1974, commonly known as the Jackson-Vanik Amendment, should no longer apply to Mongolia and to extend unconditional normal trade relations to that country. The committee requested public comment on this proposal and received no negative comments. The United States first extended normal trade relations to Mongolia in 1991 under a presidential waiver from the Jackson-Vanik Freedom of Immigration criteria. In 1996, the President found Mongolia to be in full compliance with the Jackson-Vanik requirements. Two years ago Mongolia became a member of the World Trade Organization. Authorizing the President to determine that Jackson-Vanik should no longer apply to Mongolia is necessary for the United States to benefit from our rights under the WTO with respect to Mongolia.

I would also like to note that the substance of the provision on Mongolia is identical to a bill, H.R. 36, that our colleague the gentleman from Nebraska (Mr. BEREUTER) introduced on this issue earlier this year. I commend the gentleman from Nebraska for his contribution and leadership in raising this as an important matter in the 105th Congress.

Finally, the legislation before us contains a revenue offset introduced yesterday by the gentleman from Texas (Mr. ARCHER) in coordination with the Treasury Department. It clarifies the tax treatment of certain transfers of assets and liabilities to corporations. The tax treatment of these transfers is unclear in situations involving the transfer of liabilities, and some taxpayers are structuring transactions to take advantage of the uncertainty. The provision in the bill before us is intended to eliminate this uncertainty and to focus on the underlying economics of these corporate transfers. This provision has already passed both the House and the Senate in substantially identical form earlier this year. It enjoys bipartisan support, and it is strongly supported by the administration.

Mr. Speaker, overall I believe that the provisions in this bill represent our ongoing efforts to make government work better and be more responsive to the public, and I encourage my colleagues to support this bipartisan package.

Mr. Speaker, I reserve the balance of my time.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to reiterate some of the comments made by the gentleman from Illinois as the subcommittee chair of the Subcommittee on International Trade of the Committee on Ways and Means. This is essentially four noncontroversial bills. They all had either hearings, markups in the full committee or subcommittee, and some of the bills actually passed the House of Representatives. The first piece of legislation under the title is the Customs Pre-clearance and User Fee Act, and essentially this allows the Customs Service to use a Customs Service pre-clearance account for the purpose of pre-clearing passengers that arrive from Mexico, the Caribbean or Canada. It also establishes a $1.75 user fee on those passengers that enter into the United States through cruise ships.

The second item is the silk scarf marketing bill. The United States and the European Community entered into an agreement that silks from China that are assembled and/or hand crafted in Europe can have the designation of the country of origin from Europe itself. This would be in compliance obviously with the WTO ruling.

The third item, as the gentleman from Illinois (Mr. CRANE) said, is the Miscellaneous Technical Tariff and Duty Provision Act. This has 170 tariff reductions or eliminations to it. It will allow products such as drugs that treat AIDS and HIV patients, it has anti-cancer drugs that can be allowed into the United States that are not available in this country and other noncontroversial items that have been signed off by both the administration, various industry groups and all of the affected parties.

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The fourth and last item is having normal trade relations with the country of Mongolia. Up until 1990, Mongolia was a communist country and thereby under the Jackson-Vanik provisions. Since that time they have had five elections, two presidential and three parliamentary, all of them without any problems whatsoever. They were free and fair elections.

They have had most-favored-nation status now, normal trade relation status, since 1991. They have complied with the WTO and now are part of the WTO, and, as a result of that, it would only be appropriate to give them permanent normal trade relation status.

These four pieces of legislation do have some revenue aspects to them, but, as the gentleman from Illinois (Mr. CRANE) said, we do have some noncontroversial provisions that would offset it by way of the Tax Code basically

in corporate restructuring. As the gentleman from Illinois (Mr. CRANE) mentioned, it creates some ambiguity and some have been taking advantage of these provisions.

It is a bipartisan bill, supported on both sides of the aisle, obviously, and supported by the administration. We recommend support of this legislation.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Speaker, I thank my distinguished colleague for yielding me time and also for his support on this and other measures which have come to this subcommittee.

Mr. Speaker, amid the disappointment for us that may come about in the budget bill which is to be passed shortly, this bill provides a beacon of light and hope to my constituents, the people of the U.S. Virgin Islands.

Contained in these miscellaneous and technical amendments of the trade law is a measure which would extend the provision enjoyed by our watch factories to include fine jewelry. While this is a small issue here, it is a very important one to these companies which are based in several states and on my home island of St. Croix, and it is extremely important, of course, to the employees and their families. Ten years ago, these companies provided close to 1,000 jobs. Today, there may just be over 200. Without this bill, even those will not be secure.

I want to take this opportunity to thank the gentleman from Illinois (Chairman CRANE) and the ranking member, the gentleman from California (Mr. MATSUI) for bringing this to the floor today. In doing so, they are helping to revitalize an industry that has provided meaningful employment and a sound livelihood to my constituents, and, with the vote of Members, it will continue to do so.

I also want to thank my other colleagues, the gentleman from New York (Mr. RANGEL) and the gentleman from Louisiana (Mr. JEFFERSON) and many others for cosponsoring my bill, H.R. 2498, which is included in this measure, and for their support. I urge its passage, and I ask my colleagues to vote yes on this measure.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding back the balance of my time, I would like to thank Jim Terpstra, Legislative Fellow, who has worked with us on the Subcommittee on Trade and who will be departing. We appreciate all of his efforts.

Mr. BEREUTER. Mr. Speaker, this Member strongly supports H.R. 4856, which includes authorization of the extension of nondiscriminatory treatment or normal trade relations to the products of Mongolia. This Member introduced the original legislation authorizing this designation, H.R. 36, on January 7, 1997, the first day of this Congress.

In 1952, the United States denied Mongolia and twenty other communist countries or territories under communist rule normal trade relations. Normal Trade Relations with Mongolia were restored in November 1991, when the President waived the provisions of the Jackson-Vanik trade legislation. In 1996, the President of the United States made the first determination that Mongolia was in full-compliance with the human rights objectives of the Jackson-Vanik trade legislation and the President has renewed that determination each year since, and most recently on July 1, 1998.

Since 1990, there have been five free and fair elections in Mongolia which have coincided with significant reforms of the government and the economy. Approximately one year ago, the Economist magazine heralded Mongolia's dramatic economic reforms of the last several years by calling Mongolians ''those free-trading Mongolians.'' Unfortunately however, these dramatic economic and political reforms in Mongolia have recently begun to suffer from factional fighting in that country and the emergence of the Mongolian People's Revolutionary Party (MPRP). Most recently, the MPRP has begun to attack the ambitious privatization and private sector development plans of the Democratic coalition in Mongolia and a high level Ministry official was recently assassinated.

The World Bank estimates that Mongolia must have a 5% growth rate to create new jobs for its entrants into the work force. Yet with the Asian Financial Crisis to its east and Russia's collapse on its west, Mongolia will find it very difficult to meet its economic goals and stay on its reform path. The United States can play a fundamental, helpful role by granting Mongolia normal trade relations and therefore reasonable access to our markets. The United States currently provides a modest amount of aid to Mongolia that will be necessary in the short term. However, by granting Mongolia reasonable access to our markets and promoting trade with our two countries, this legislation is building the foundation so we can hopefully graduate Mongolia from U.S. assistance in the future.

In light of the very difficult political and economic challenges for the people of Mongolia, passage of this legislation comes at a critical time. This legislation sends a very important signal to the people of Mongolia that they will be rewarded for maintaining their brave steps toward economic and trade liberalization. This Member only regrets that this legislation was not approved earlier to bolster the standing of those in Mongolia who have already bravely fought for economic and political reform here.

Mr. SHAW. Mr. Speaker, I rise today in support of H.R. 4856, a bill making Miscellaneous Technical Corrections to Trade Law.

Mr. Speaker, while H.R. 4856 contains many worthy provisions, I am especially pleased that the text of H.R. 4819, the Passenger Services Enhancement Act was included in this legislation. I introduced H.R. 4819 earlier this month, and its passage today is crucial to the economic well-being of my home state of Florida.

As my colleagues may recall, last year the Customs user fee expired, and thereby caused a possible diminution in Customs inspectors at Florida ports where the fee was being collected. To avoid disruptions in the cruise ship industry, Congress passed a bill I introduced (H.R. 3034) which preserved Customs inspectors in Florida for fiscal year 1998 only. That bill passed on the final day of the first session of the 105th Congress. Now that we are in a new fiscal year, Customs inspectors serving Florida cruise ships are again in jeopardy. Passage of the Passenger Services Enhancement Act will ensure that Customs inspectors at Florida ports are preserved, and it will also allow the cruise ship industry to schedule new cruises without being impeded by a shortage of manpower at Customs.

While this legislation is good news for Florida, I am especially pleased that an agreement was reached to reduce the price of the Customs user fee to $1.75. My colleagues may recall that at one time, this fee was as high as $6.50. At this new level, few can consider the Customs user fee burdensome or unreasonable. I will however, be requesting a GAO study to verify that this amount, which was recommended to me by Customs, is the true cost of processing a cruise ship passenger.

The cruise ship business is an important component of Florida's largest industry, which is tourism. If Florida were to lose Custom inspectors, it would cause grievous harm to my state's economy. Enactment of the Passenger Services Enhancement Act will prevent job layoffs, disruptions, and financial losses to this vital industry.

Mr. Speaker, I am also pleased that the amended text of H.R. 2770, a bill I introduced last year, was included in this bill. This provision would defer the duty on large yachts imported for sale at boat shows in the United States. Boat shows, be they in New York, Chicago, Miami, or Fort Lauderdale are important generators of economic activity, and this legislation will promote greater commerce in the yachting industry. For my constituents, it is a pleasant coincidence that this legislation will hopefully be signed into law when the Fort Lauderdale Boat Show starts later this month.

Mr. Speaker, I urge my colleagues to support H.R. 4856.

Mr. RAMSTAD. Mr. Speaker, I rise in support of this bill before us today, which includes provisions to provide for the continuation of preclearance activities for air transit passengers.

I want to thank Mr. CRANE and Mr. SHAW for working with me on these important provisions to help facilitate the services Customs provides to process the massive amounts of people and products entering and exiting our country.

These provisions, which are similar to legislation Mr. CRANE and I introduced last April, would allow the Customs Service to access funds in the User Fee Accounts and enhance inspector staffing and equipment at preclearance service locations in foriegn countries.

This is significant because if U.S. Customs eliminates these positions, preclearance for passengers to the U.S. will slow, travel will be disrupted, and the tourism industry in many states will suffer. Allowing the preclearance services to continue means a great deal to many employers in my district, like Northwest Airlines and all those affiliated with the Mall of America—which attracts more visitors each year than Disneyworld, Graceland and the Grand Canyon combined.

The Customs Service has said there are insufficient resources in its salaries and expenses account to fund the enhanced preclearance positions. This bill gives access to excess funds in the User Fee Account,

without any additional cost to taxpayers. Acting-Commissioner Banks testified before our Ways and Means Committee in support of our earlier version of the legislation, and the airline industry supports it as well.

I appreciate how quickly the House has recognized the merits of these provisions, as well as the other important elements of the bill to reduce tariffs on various products, and allowed us to bring it to the floor today. I urge my colleagues to join me in support of this critical bill.

Mr. GILMAN. Mr. Speaker, I would like to express my strong support for H.R. 4856, the ''Miscellaneous Trade and Technical Correction Act of 1998'' which will strengthen our trade and economic relationship with Mongolia through the extension of normal trading relations with that emerging democracy in central Asia.

Mongolia has undertaken significant market-based economic reforms, including the reduction of government subsidies, the elimination of most price controls and the closing of insolvent banks. In many respects, this country's economic track record is a model for many other countries in the region and in Asia as a whole.

I would also like to express my thanks to the author of this legislation, Chairman Archer, for this willingness to include six duty suspension requests in this legislation that will provide small but important benefits for a leading company in my district, the Ciba Specialty Chemicals Corporation.

Mr. MATSUI. Mr. Speaker, I yield back the balance of my time.

Mr. CRANE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 4856.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1625

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 4 o'clock and 25 minutes p.m.

PROVIDING FOR CONSIDERATION OF CERTAIN RESOLUTIONS IN PREPARATION FOR ADJOURNMENT OF SECOND SESSION SINE DIE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that House Resolution 594, as modified by striking ''November 18, 1998,'' in section 2 and inserting ''November 13, 1998,'' be considered as adopted.

The text of House Resolution 594 is as follows:

H. RES. 594

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House a joint resolution appointing the day for the convening of the first session of the One Hundred Sixth Congress. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees; and (2) one motion to commit.

SEC. 2. A resolution providing that any organizational caucus or conference in the House of Representatives for the One Hundred Sixth Congress may begin on or after November 18, 1998, is hereby adopted.

SEC. 3. A resolution providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Sixth Congress as a House document, and for the printing and binding of three thousand additional copies for the use of the House, of which nine hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House, is hereby adopted.

SEC. 4. A resolution providing that a committee of two Members of the House be appointed to wait upon the President of the United States and inform him that the House of Representatives has completed its business of the session and is ready to adjourn, unless the President has some other communication to make to them, is hereby adopted.

SEC. 5. The Speaker, the Majority Leader, and the Minority Leader may accept resignations and make appointments to commissions, boards, and committees following the adjournment of the second session sine die as authorized by law or by the House.

SEC. 6. The chairman and ranking minority member of each standing committee and subcommittee may extend their remarks in the Congressional Record and include a summary of the work of their committee or subcommittee.

The SPEAKER pro tempore. Without objection, the resolution is adopted and amended.

There was no objection.

A motion to reconsider was laid on the table.

APPOINTING DAY FOR CONVENING OF FIRST SESSION OF ONE HUNDRED SIXTH CONGRESS

Mr. SOLOMON. Mr. Speaker, I offer a joint resolution (H. J. Res. 138) appointing the day for the convening of the first session of the One Hundred Sixth Congress, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of House Joint Resolution 138 is as follows:

H.J. RES. 138

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first regular session of the One Hundred Sixth Congress shall begin at noon on Wednesday, January 6, 1999.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4328, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–826) on the resolution (H. Res. 605) waiving points of order against the conference report to accompany the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SETTING DATES FOR ORGANIZATIONAL CAUCUS OR CONFERENCE FOR ONE HUNDRED SIXTH CONGRESS

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 594, House Resolution 606 is adopted.

The text of House Resolution 606 is as follows:

H. RES. 606

Resolved, That any organizational caucus or conference in the House of Representatives for the One Hundred Sixth Congress may begin on or after November 13, 1998.

SEC. 2. As used in this resolution, the term ''organizational caucus or conference'' means a party caucus or conference authorized to be called under section 202(a) of House Resolution 988, Ninety-third Congress, agreed to on October 8, 1974, and enacted into permanent law by chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 29a(a)).

AUTHORIZING PRINTING OF REVISED EDITION OF RULES AND MANUAL OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 594, House Resolution 607 is adopted.

The text of House Resolution 607 is as follows:

H. RES. 607

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Sixth Congress be printed as a House document, and that three thousand additional copies shall be printed and bound for the use of the House of Representatives, of which nine hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House.

APPOINTMENT OF COMMITTEE OF TWO MEMBERS TO INFORM THE PRESIDENT THAT THE TWO HOUSES HAVE COMPLETED THEIR BUSINESS OF THE SESSION

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 594, House Resolution 608 is adopted.

The text of House Resolution 608 is as follows:

H. RES. 608

Resolved, That a committee of two Members of the House be appointed to wait upon the President of the United States and inform him that the House of Representatives has completed its business of the session and is ready to adjourn, unless the President has some other communication to make to them.

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 594, the Chair appoints the following Members of the House to the committee to notify the President:

The gentleman from Texas, Mr. ARMEY.

The gentleman from Missouri, Mr. GEPHARDT.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4328, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 605 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 605

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for one hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield one-half my time to the gentleman from Massachusetts (Mr. MOAKLEY), my great friend, pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for purposes of debate only.

Mr. Speaker, passage of this rule will enable us to complete the outstanding work for the 105th Congress and adjourn for the remainder of the year. This rule is traditional for conference reports. It waives all points of order against the conference report and against its consideration. Further, it provides for the conference report to be considered as read.

Mr. Speaker, the conference report to accompany H.R. 4328, the Transportation and Related Agencies Appropriation Bill for Fiscal Year 1999, is serving as the vehicle for an omnibus appropriations package for fiscal year 1999. That is the bill that we have before us.

Mr. Speaker, the conference report before the House contains the following general appropriation bills for fiscal year 1999: Transportation; Agriculture; Labor-HHS and Education; Commerce, Justice, State, and the Judiciary; Foreign Operations; District of Columbia; Treasury-Postal Service; and the Interior appropriations bills.

Mr. Speaker, all of the spending bills in this general appropriation bill are within the discretionary spending caps and are fully paid for. This conference report also contains a number of provisions making supplemental appropriations.

A significant portion of the package, and I think it is important for Members to note, is an $8.4 billion Department of Defense component including funds for missile defense and additional funds for military readiness, so badly needed. This funding is critical to protect the lives of our soldiers and our military personnel who serve overseas in uniform.

I have warned my colleagues many times that we are returning to the very hollow force of the 1970's in our national defense posture. There was a time, that I often recall, when we had hostages being held in a place called Iran. And when we attempted to rescue those hostages being held, we had to cannibalize 14 helicopter gunships just to get 8 that would work, and 3 of those failed, and so did the rescue operation. That was the condition of our military back in the late seventies.

Mr. Speaker, our Nation's Armed Forces are facing the same kind of critical shortages in a number of areas right now.

In terms of personnel, we have lost military personnel. We have commissioned officers and noncommissioned officers who are choosing not to stay in the military. Many of them are being furloughed because of lack of funds. There are shortages of equipment and spare parts, and even ammunition.

Mr. Speaker, all of these indicators of a declining readiness rate are not academic statistics. All of these things contribute to the ability of our Armed Forces to respond rapidly and effectively to a threat from overseas in the manner in which we responded to Saddam Hussein in 1990 and 1991, and today we cannot do that. We do not have the military capability to mount that kind of an operation now. Also these items which are in short supply lead to a greater propensity for training accidents or aircraft crashes, and you see it almost every week now in some part of the world.

Mr. Speaker, the lives of our young men and women who serve in the military are constantly at risk from foreign threats. We should not compound that risk by leaving them in the field with aging or broken or outdated equipment.

Mr. Speaker, the world is a dangerous place, and there are nations and forces who are hostile to the United States and American interests all over this globe. The House should lend its support to our men and women in uniform around the globe who put their lives on the line for the national interests of this country by voting for this package today. I intend to vote for it myself, even though I am a fiscal conservative and do not share all of the purposes of everything in this massive bill.

Mr. Speaker, the United States lives under the constant threat of attack from ballistic missiles launched from China or North Korea or other renegade regimes around this world. It is inconceivable to me that we have not developed a system that would stop incoming ballistic missiles from landing on American cities. Several regimes have a startling missile capability and, when coupled with biological and chemical warheads, these regimes and their devices pose an incredible threat not only to American servicemen serving overseas, but also a direct threat right here to the United States of America.

We all know that the People's Republic of China, which is a hostile nation to this country by their own words, have no less than 13 intercontinental ballistic missiles aimed at American cities right today, yet we are not equipped to do anything about that.

Mr. Speaker, if investing $1 billion for missile defense in this package is not an emergency, I do not know what an emergency is. This funding is absolutely critical.

Mr. Speaker, the conference agreement also contains funds to combat terrorism, including at our American embassies overseas. For those who have traveled there, you know that many of our embassy personnel are in grave danger right today, and we saw that happen just in the last several months. The Congress must support efforts to counter international terror and the cowards who would employ such methods around the world.

Mr. Speaker, this spending agreement also includes important funding for intelligence activities which are critical so that we can know in advance when terrorists are planning to attack America's infrastructure, such as the World Trade Center, bridges, tunnels or American embassies overseas.

Mr. Speaker, this package also contains funding to address the Year 2000 computer problem, or Y2K, a significant portion of which is defense-related. We must ensure that our defense computers are technically capable to meet the challenges of the new century.

□ 1640

Mr. Speaker, this omnibus appropriation package contains something even more important than all the things I have just mentioned, and that is crucial funds for the anti-drug efforts as

well as legislative language to encourage drug interdiction efforts. A vote for this package is a vote to rededicate ourselves to the fight to stop all aspects of the illegal drug trade, supply, use and demand. And I would also note on that subject, Mr. Speaker, that the conference report before us maintains language which passed the House prohibiting Federal or District of Columbia funds for free needles for drug addicts, a program which has not worked in any part of the country, and, Mr. Speaker, it is so terribly, terribly important to set an example for our young people that there is nothing hip, that there is nothing cool, about heroin use or any kind of drug use. Illegal drug use can only lead to a life of failure and misery and even death. Rather than promote desolation and despair, Mr. Speaker, we should promote hope and opportunity for this young generation coming on board now.

And, Mr. Speaker, this conference agreement also contains important funding to assist our Nation's farmers who have faced numerous natural disasters this year. The conference report includes language relating to something terribly important to myself and the gentleman from Louisiana, the chairman of the Committee on Appropriations sitting next to me here, and that is called milk marketing orders, which will prohibit the Department of Agriculture from changing the rules until we have gone through both a legislative process and an appropriation process cycle for next year. That would give the incoming Congress time to hold hearings and to deal with this life threatening issue as far as the dairy farmers of this Nation are concerned. The Federal Dairy Program is so very important to the livelihood of my particular district and certainly many of the others throughout this country.

And, Mr. Speaker, it is important that we adjourn this Congress in order that Members have a chance to discuss with their constituents the fact that we have produced the first balanced budget in 30 years. We are now cutting rather than increasing spending. We have produced a historic budget surplus for the American people, and, Mr. Speaker, Ronald Reagan's vision has been achieved by our actions. The growth of the federal spending has been slowed to 3 percent a year. I never thought 5 or 6 or 10 years ago that we would be able to accomplish that, but we have, and we should commend both the Committee on Appropriations and the Committee on the Budget and the other committees of this Congress for having bit the bullet and dealing with this very critical issue.

We have reformed welfare and made a dramatic difference in the lives of so many Americans encouraging the personal responsibility and dignity that are a part of decent jobs. In New York State alone more than 500,000 people have been taken off the welfare rolls. Those people are now taxpaying citizens, they are good citizens that are contributing to society.

And, Mr. Speaker, we took on the dreaded IRS and brought about long overdue reform to that agency.

Now the conference agreement is not perfect; we all know that. It is a compromise among the House and the Senate and the President of the United States. All Members did not get all the provisions we were seeking, nor did we knock out all the provisions that we wanted to knock out. Nor did the President get all of his legislative agenda in this package. But the spirit of compromise, which is what Ronald Reagan spent a great deal of his time trying to teach me, is that you cannot always have it your own way. One of the most difficult lessons that I have learned in Washington is the fact that we have to compromise. And that is why I urge every Member to come over here regardless of their philosophy, whether they are liberal, conservative or somewhere in-between.

This is a bill we ought to vote for the American people. I urge my colleagues to support it, support the rule and then vote for the omnibus package when it comes before the House.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New York (Mr. SOLOMON), my dear friend, my colleague, the chairman of the Committee on Rules, for yielding me the customary half hour.

Mr. Speaker, at long last we are preparing to vote on this omnibus appropriation bill. This is the bill that contains the eight unfinished appropriations bills and hundreds of extra provisions all the way from duck hunting to stomach viruses, all lumped together in a document that weighs over 40 pounds, stands 16 inches high and has to be brought over here in a box that resembles a Budweiser case. I mean this is a first. I hope that all the people who are listening in will really pay attention to this. This is the largest bill that I can recall lumping all these appropriation bills together in an end of the season rush to get out of here.

Mr. Speaker, we all know the reason the Congress is passing this one enormous bill instead of the individual bills is because the Republicans just could not get their act together, they could not finish their work in time for the new fiscal year. But it turns out that the good news for the Democrats is this bill contains a lot more Democratic provisions than we could have gotten under the regular legislative procedure if that legislative procedure had taken place in its orderly fashion. By sticking together and insisting on our priorities we won very many major victories for the American families of America.

Democrats won 100,000 new teachers for our classrooms, which means, Mr. Speaker, classrooms all over the country will average 18 students fewer per classroom. Children will get more individual attention. It will be easier to discipline and to teach these children. Mr. Speaker, thanks to Democrats, my home State, the Commonwealth of Massachusetts, will get $22 million more to reduce our class sizes.

Democrats fought off Republican attempts to raid the Social Security surplus to pay for tax cuts. Democrats won a 14-percent increase in health research in diabetes, cancer, genetic medicine and to develop an AIDS vaccine.

Mr. Speaker, Democrats won the funding for 17,000 new community police officers, and we also won the removal of Republican provisions letting polluters get off the hook scot-free and the addition of investments in cleaner environment.

Mr. Speaker, Democrats and Republicans combined saved the LIHEAP program, which provides energy assistance for the 5.5 million elderly and working people during very cold winters and very hot summers.

But, Mr. Speaker, there is still a lot to do. Our schools are still falling apart. One out of every three American schools needs extensive repair or replacement, and about the same number were built before World War II.

Mr. Speaker, American children should be taught in classrooms and not trailers, and they should not have to eat lunch at 10 o'clock in the morning because the cafeteria just does not have enough tables to feed them all at the same time. But my Republican colleagues refused even to meet on the school construction bill.

Americans enrolled in managed care plans still do not have the protection against the abuses. We need to pass a Patient Bill of Rights. But my Republican colleagues refuse to take it up.

My Republican colleagues buried efforts to reform our campaign system, reduce teen smoking and raise the minimum wage.

Still, Mr. Speaker, despite our small numbers the Democrats have done pretty well. We stopped the Republican attempt to destroy Medicaid back in 1995. We stopped the Republican attempt to use the Social Security surplus for tax cuts, we stopped their efforts to let polluters off the hook, and we kept them from dismantling public education.

So I congratulate my Democrat colleagues for really insisting education be made a priority, and I urge my colleagues to support the rule and support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I begin to recognize our next speaker, I have to call attention to the fact that I will be leaving this body at the end of this year and after 20 years. More important is the gentleman sitting next to me. He is not a Member of Congress, but he is probably more important than any Member of Congress because he is the Chief Counsel of the Committee on Rules. Bill Crosby has been with this body for

27 years. He came here directly out of the United States Navy, and he has served under former members of the Committee on Rules, Representative H. Allen Smith of Glendale, CA, Representative Dave Martin of Nebraska, and of course our old good friend Jim Quillen, who was a Member of this body for 30 some years from Tennessee. We are certainly going to miss Bill. He was my valuable right arm for 10 years on the Committee on Rules, and we wish him well.

Mr. Speaker, having said that, I yield such time as he may consume to the gentleman from Claremont, California (Mr. DREIER), the vice chairman and the man I will be turning the gavel over to as chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my very good friend from Glens Falls (Mr. SOLOMON) for yielding me this time, and while we have all engaged in what is clearly a long good-bye, I would like to, as this is the last issue that we are going to be considering in the 105th Congress, join in saying once again how sorely we will miss the gentleman from New York (Mr. SOLOMON) when he will not be a Member of the 106th Congress and to also join in saying to our good friend, Bill Crosby, ''Thank you very much for nearly three decades of great service to this institution.'' I am particularly honored that he was first hired here by H. Allen Smith, as Mr. SOLOMON has just said, who was the ranking Republican on the Committee on Rules at that time and a fellow Californian, and we were saddened with his passing just within the past several months. But Bill will be sorely missed, and we certainly wish him well in his future endeavors.

Mr. Speaker, 2 years ago the American people gave a Republican Congress and a Democratic President a mandate to do a number of things to balance the federal budget, provide tax relief for working families, create incentives for private sector jobs and job creation, preserve the Medicare program and to promote quality educational opportunities for all children. The 105th Congress accomplished each of these important goals by sticking to fundamental principles while making compromises that reflected the political realities of a divided Federal Government.

The Fiscal Year 1999 Omnibus Appropriations conference report which we are addressing here today does look at many of those very important national needs. In particular, I would like to applaud the negotiators for the $7 billion included to overcome the rapid diminishment and the readiness of our military forces. It also provides new funding to protect American cities from a limited nuclear missile strike, to fight terrorism, avoid the Year 2000 computer problems in government and to help victims of national disasters.

While this final budget package is worthy of support, make no mistake. We all have acknowledged that it does have real shortcomings. The President, his supporters in Congress have proven extraordinarily resilient in treating every federal spending program as a sacred cow, and unfortunately opposing tax cuts at every turn, using the very specious argument that this poses a threat to the solvency of the Social Security system.

Now, Mr. Speaker, I believe that more should be done to provide tax relief to working families and to ferret out wasteful federal spending and out-of-date government programs. I look forward to the next Congress including more Members who are committed to those policies that represent these values of hard-working Americans.

With that I thank my friend for having yielded this time to me, and I urge support of both the rule and the conference report.

□ 1645

Mr. MOAKLEY. Mr. Speaker, it is my pleasure to yield 7 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, who has labored so diligently on this massive, massive piece of legislation.

Mr. OBEY. Mr. Speaker, this bill is here because of a massive institutional failure on the part of the Congress.

Now, it is true that there are some major victories for the President and for my party in this package. In my judgment, those major victories are here because we had a large portion of the Republican Caucus, known as the CATs, who early on this year indicated that they did not like the way the Congress handled appropriations bills the year before when we had a relatively bipartisan approach, and they decided they wanted a much more partisan approach; they wanted the bills to be written only on the Republican side of the aisle. They did not want the minority party included; they did not want to hear what our views were; they wanted to bring their agenda to the floor, so they did.

They cut $1 billion out of the President's education program. They eliminated the Low-Income Heating Assistance Program. They eliminated the Summer Jobs Program. They laced the appropriation bills through with antienvironmental riders. They proposed all kinds of measures which they thought they could impose on what they perceived to be a weakened President, and then something happened. What happened is that the moderate Republicans decided they could not support that package, and the Senate Republicans also decided that some of these bills were so extreme that they would not vote for them. And so we wound up in a colossal end-of-the-year, after-the-deadline negotiation on more than half of the budget.

Now, as a result of that process, a lot of the decisions that were made were made by four people. They were made by the gentleman from Louisiana (Mr. LIVINGSTON), the chairman of the committee, my good friend; by me; by Senator STEVENS, who represents the majority party in the Senate, and by Senator BYRD, who represents the minority party in the Senate. We made hundreds of decisions on the specific appropriation items. But then a laundry list of other items were kicked upstairs and there judgments were made by only one person in this House so far as I know, that being the Speaker, and they were made on the other end of the avenue by representatives of the President.

We are in this mess because this Congress did not do its job. We are in this mess because the Congress passed only a tiny number of the 13 appropriation bills that we were required to pass by the end of the year. And now we have this god awful mess on the floor, which while it contains a number of, I think, needed victories for us on education and on other items, still represents an incredibly outrageous way to do the country's business.

So we have as a result of this process some 70 extraneous provisions laced through this bill. We do have a bill which is now $2.6 billion above where the House was on education, and for that the President deserves credit and so do the minority party negotiators. We did restore fuel assistance, we did restore summer jobs, we did protect the National Labor Relations Board, we did keep the full IMF funding, and we did get a number of other victories. We did get $1.6 billion additional funds to help our farmers. We did get language which extends contraceptive coverage under Federal health benefits for women. We stopped the punitive action that the majority party wanted to take against the Federal Elections Commission. But in the process, an awful lot of garbage stuck to this bill.

The most outrageous action taken of all was action that was insisted upon by the Committee on Ways and Means. There was a provision in this bill which would have allowed the brother of the Unabomber to get the full reward that was promised for solving that crime without being taxed. He wanted to give the full amount of that reward to the victims of the Unabomber, but because of jurisdictional dumb Hill considerations, the Committee on Ways and Means decided they would not allow that money to be provided to the victims of that crime tax-free.

I have never seen a more disgraceful action on the part of anyone in this Congress than that action in denying those funds to the victims of the Unabomber, and yet that is one of the pieces of garbage that we had to swallow in this bill in order to get the bill that would be supported by the majority.

We have a number of other items on tax legislation that were added to this. We have $4 billion added to the defense budget without a dime of that $4 billion going into readiness. It goes into a lot of the Speaker's pet projects, into a lot of third-tier, third-rate intelligence

activities, (one good one), and yet none of the funds go directly to military readiness. It is really a lousy way to prioritize national needs.

So I am going to ask Members to do the only thing we can under these circumstances, because the country does need a budget. I will ask them to vote for the bill when we finally get to it, because thanks to the incredible mismanagement that we have seen in this Congress all year long, we have no other choice. But that does not mean I am proud of the product.

I think this product, at least the process by which we got here, is a national disgrace, and I think the House ought to be ashamed of itself for all of the decisions that led to this ridiculous process. I want to make clear in my criticism that I make no criticism of the majority party on the Committee on Appropriations. They did everything possible to work under these ridiculous circumstances to bring a decent bill to the House. But I have to tell my colleagues, wait until you see the stories that the press will write for weeks and weeks on some of the provisions that are in this bill, and more importantly, some of them that are not, and we will get a clear idea of just how low this Congress has sunk.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

The other night my wife was up in our home in the Adirondack Mountains, she was watching C–SPAN, and my next speaker was on the floor. He was telling it like it is, and as soon as he finished she called me and she says, my goodness, he sounds just like you. I do not know whether she was being critical or heaping praise.

Mr. Speaker, I yield 6 minutes to the gentleman from Metairie, Louisiana (Mr. LIVINGSTON). He is truly one of the commendable Members in this body. In the last 4 years, he is one of the reasons that we have a balanced budget here and we have gotten our fiscal House in order.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I want to thank my friend from York (Mr. SOLOMON), the very distinguished chairman of the Committee on Rules, the very distinguished, outgoing chairman of the Committee on Rules. He is my friend. He is a gentleman with whom I have enjoyed working with throughout the time that I have had the opportunity and the honor and privilege to serve the American people in the United States Congress. I do not think that there have been any better served than those served by the gentleman from New York who is leaving. This is his last presentation of a rule not only before the 105th Congress, but before the Congress as a whole. I just want to take this opportunity to wish him and his lovely wife, Freda, many, many years of happy retirement, although I know he is not planning on retiring, he is simply leaving Congress. We will be able to see him in other roles, and we wish him lots of success and happiness. Likewise, I would like to wish lots of success and happiness to his sidekick, Bill Crosby, who has done a remarkable job for the Congress over the last 27 years as a public servant, plus his time in the Navy. So we wish him well and thank him for his dedicated service over the years.

Mr. Speaker, I am not going to stand here and defend the process, because I think it has been ugly, but I will say that we are ahead of the game when we look at the last 15 years. We are actually completing our business ahead of the schedule of all but 5 of those last 15 years. In 10 other instances we have gone later in the calendar year, longer in the legislative season than we are today. So even though we have a 40-pound pack of paper sitting there before us comprised of some 8 bills and 4 emergency sections, the fact is we are completing our business. If the good Members of this House have the wisdom and good judgment to vote as a majority for this package, we will go home, complete the campaign season, and have a victorious time on behalf of the majority, I hope, in November.

□ 1700

That being said, let me say that we have comprised a great deal in this package. We not only include eight regular appropriations bills, but we address the Y2K emergency problem that threatens Government computers and virtually all computers of this country in every walk of life as we change into the next millennium.

We address the needs for increasing the safety for our diplomats and their staff in embassies and consulates all around the globe to provide some protection against terrorism.

We include money for agricultural emergencies reaped by natural and other disasters around this country, and we provide much needed funding that replenishes the readiness accounts and the needs for our Defense Department to provide defense against incoming missiles to this country through a viable missile defense system and various other priorities that are so extraordinarily important to the armed forces and the men and women that serve in them.

I might say that we do all of that, eight appropriations bills, including the agriculture appropriations bill, which was passed by the Congress and vetoed by the President and redrawn in this package, within the caps provided us by the Committee on the Budget.

There may be some criticism about how we get there, but the fact is the Congressional Budget Office, notwithstanding current press reports, the Congressional Budget Office has proclaimed that we are under the caps allotted to us which agrees with the budget process as agreed to in last year's budget agreement. So nobody can say that this package is out of kilter in terms of overall spending.

Finally, I would say that it is a fair rule which allows us to debate this issue. We have an hour not only on the rule, but an hour to debate the entire package. While there will not be any amendments allowed, we are satisfied that the rule is appropriate and should be adopted. We are hopeful that the Members of the body will come and vote as a majority for the entire package, because they should not concentrate on the process. They should concentrate on the substance.

The fact is that the House of Representatives using the normal appropriations process passed all but one of our bills before the end of the fiscal year. The Labor-HHS-Education bill was not passed in the House or the Senate, but it was conferenced informally between our Members of both bodies. We worked our way through the process.

Mr. Speaker, all I would say is that whether Members like this process or not, the fact is that we have had a chance to finish all of the individual bill packages in their entirety, bundle them together in that very large bundle, and submit them to the membership so they can vote on it.

Once they vote on it, it will be virtually the last vote they cast for this Congress, and we will go home knowing that we have achieved the first balanced budget in 30 years.

Last year we passed the first tax cut in 16 years. We have virtually frozen the cost of government across the board, stopped the growth of government in all of the departments, agencies, and programs. We have saved about $125 billion under what the President projected we would have spent some 4 years ago at this time. So we can take confidence in the fact that we have restored fiscal integrity to the United States Treasury for the first time in a generation. I think that is no small accomplishment. I urge the Members to vote for this, and go home with great pride.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I just flew over 3,000 miles from the central coast of California to support this important bill. This budget bill is a victory for the American people. It is a victory over mindless partisanship, and it is a terrific victory for education.

Providing our local school districts with additional qualified teachers is an important step in the right direction. Next year we must come back and help our local communities to build new classrooms and to modernize their schools.

This budget is a victory in the fight against disease. As a nurse, I am thrilled that Congress is giving vigorous support to critical research on Parkinson's, Alzheimer's, diabetes, and ALS. Next year we must come back, take on the HMOs, and pass a strong patient's bill of rights.

This is a good bill. I urge my colleagues to pass it.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO.)

Mr. DEFAZIO. Mr. Speaker, the do-nothing Congress is limping to a pathetic end, one final $500 billion bill. Just to my left there is a copy bound with twine 2 feet tall. It weighs 40 pounds. Who among the rank and file Members of the House can say they have read and understood the entire package? Half the Members here could not even lift it, let alone read it.

The chairman of the Committee on Rules said it was about readiness. For once we are in vague agreement. This bill is about readiness, campaign readiness. It is stuffed to the gills with election-year goodies. The gentleman meant military readiness, but from the quarter of a million dollars that the Pentagon is going to be forced to spend to study the effect of stay-awake gum on the troops, to the C–130J airplanes that they are going to be forced to buy that will be built in the Speaker's district, and they will have to retire other good planes 10 years early to accommodate them, it is much more of an assault on the orderly readiness of our troops than it is a help.

Of the $7.5 billion stuffed into the Pentagon budget in this bill, perhaps $1.1 billion, 14 percent, can be said to truly be going to the readiness needs of our men and women in uniform. Is $1 billion more for the Star Wars fantasy that has wasted $50 billion, so far with no successful experiments, is that the readiness that our troops need? I think not.

Is $2 billion more for intelligence agencies what they need? Just 3 years ago the National Security Agency lost $4 billion in its budget. That is right, it misplaced $4 billion, because it was trying to hide it from our enemies, and they had a bunch of different bank accounts around. They forgot they had the money until a new auditor came in and found it, and they need another $2 billion? I do not think so.

The gentleman spoke about fiscal responsibility. This bill is financed with $20 billion out of the future social security trust fund, the so-called surplus in emergency spending. That is not fiscal responsibility.

Mr. SOLOMON. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, let me tell the gentleman that we received this bill up in the Committee on Rules at 9:30 last night. I was there. It was ready for any Democrat to come upstairs and see it. I will tell the gentleman, if he would have come up at 9:30 last night, he would have found that the State of Oregon is the real beneficiary, and so is the gentleman's district. He ought to be here praising this bill.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will probably not have this opportunity again to congratulate my friend, the gentleman from New York (Mr. SOLOMON) for the work he has done as the chairman of the Committee on Rules in representing his party's way. He and I, although we have disagreed probably on 90 percent of the matters that came before us, we never disagreed about our friendship. I hold him to be a very dear friend of mine.

Also, Mr. Crosby has been a great, great person, never butting into things, but always there as a font of information any time we needed some information, even though he represented the majority and we were in the minority. So I wish him well on his new endeavors.

Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

(Mr. SANDERS asked and was given permission to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in strong opposition to the Republican leadership's process which has brought us to the vote we cast today, a vote which merges eight separate appropriations bills into one huge 4,000-page omnibus bill which will spend some $500 billion with one vote.

Within this huge bill there are some excellent and important provisions which are good for my State of Vermont and which are good for this country, but there are some awful provisions and wasteful provisions which are going to cost taxpayers billions and billions of dollars. It is a travesty and an insult to the democratic process that Members have not been able to vote separately on these provisions to maintain what is good, to get out what is bad, and to end up with the best legislation that would serve the interests of the American people.

I would hope that regardless of our political point of view or the party we may be in, that we will work together to make sure that a process like this does not take place again.

Within the positive aspects of this bill, there is some real help for dairy farmers in the State of Vermont and throughout this country in terms of the extension of the Northeast Dairy Compact. There are some very important provisions for our Gulf War veterans, who have never gotten the kind of treatment that they need, and this bill will provide them with some real help now and in the future.

There is some good help for those home health care agencies in Vermont and throughout this country who have suffered severe cuts as a result of the balanced budget agreement last year. There is good legislation extending the Cancer Registry Act, helping those people who are victims or hurting from cancer. There are some good provisions, but the process has not been good.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I appreciate the chairman of the Committee on Rules for bringing this rule to the floor today. I believe it is long overdue for us to do our jobs to make sure that the government remains open and the American people are taken care of. Let me thank the appropriators for long and hard work.

Needless to say, I would have preferred a deliberate study of each individual appropriations bill, but frankly, I want to say to the American people, we want their business done. I am grateful that those who are on waiting lists across this Nation, waiting on Section 8 housing, these are the working poor, will now have over a 2-year period and 100,000 extra vouchers for people to live throughout the country and continue working.

I am very pleased that AmeriCorps, that has helped educate any number of our young people, has now been funded. They go into communities and help senior citizens and help preschool children and help rebuild communities, and yet then have funding to go to college.

Frankly, I am delighted that we recognize that the Census is one of the most important tasks that we have, and therefore, we will extend the time for sampling, as well as the other form that is now being utilized by the Census agency so we can get the most accurate count.

I am very pleased, as rains pour in Texas, that we have 12 million for the Simms Bayou in my district and other districts to make sure that we provide for those taxpayers who send money to this government.

But most of all, I am proud for the incremental increase in helping children suffering from mental disabilities, moving up $5 million, so we can go into communities and draw in their families and the children, and begin to rebuild lives of children who are suffering from mental illnesses.

I am not pleased, however, in helping seniors who are homebound and those home health care agencies. Yes, the IPS will be delayed now from 1999 to 2000, but I wanted to give retroactive help. Though we are boosting the payments, Mr. Speaker, I think we can do more. My commitment is we will do more to help those seniors and those home health care agencies.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Speaker, I thank the ranking member of the Committee on Rules for yielding time to me.

Mr. Speaker, I rise in support of this bill. I intend to vote for it, but I think that never, in all my life, in a long legislative career, have I ever done anything so much on faith as signing this conference report.

For the people who are wondering, this is a conference report on the transportation bill. I think that is

probably less than 10 percent of the bill, but the conferees who have signed it are those of us on that particular bill. So I put my signature on that conference report, and 90 percent of it is something that I am taking on faith. I know there are some good things in it, but I am really not taking responsibility for everything that is in it. It is sort of what one would call an institutional obligation, to move the process on.

Mr. Speaker, within the transportation bill I commend my friend, the gentleman from Virginia (Mr. WOLF). I think we have produced a good bill within the restraints of the budget deal and with the fundamental transportation problems in this country.

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I also have to say, Mr. Speaker, I guess this is it, this big pile of paper representing all of these bills that have been combined in a process such as I have never seen, really with very minimal involvement of many of the Members who were involved in writing the specific bills. We have this huge bill now before us. Clearly, it is hard to ask somebody to vote for it. That I cannot do.

But, Mr. Speaker, I think we have no other choice at this time but simply to vote ''yes'' and move this bill forward.

Mr. MOAKLEY. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Massachusetts (Mr. MOAKLEY) has 8 minutes remaining, and the gentleman from New York (Mr. SOLOMON) has 8½ minutes remaining.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to one of outstanding Members from Morris, Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I thank the gentleman from New York for yielding time to me.

First, I want to salute the distinguished chairman of the Committee on Rules and thank him for his leadership. I realize tonight is his last official vote in the House of Representatives, and I want to thank him for his friendship and wish him well.

I rise in support of this rule, and I rise in support of the bill. As I look back over the last 2 years, I look back at a Congress that has accomplished a lot of things. I remember when we were sworn in 2 years ago, there were a lot of the naysayers that said this Congress could not accomplish what we wanted to do. They said we could not balance the budget. They said we could not provide tax relief for middle-class families. They said we could not reform the welfare system. They said we could not restructure and retain the IRS. Well, we did.

As I look back over the last 2 years, we did all those things we were told we could not do. We balanced the budget for the first time in 28 years. We cut taxes for the middle class for the first time in 16 years. We reformed welfare for the first time in a generation. We tamed the tax collector for the first time ever.

Tonight we are in the final hours of this session of Congress. Now there is this omnibus bill before us. It is a bipartisan compromise. There are things in it some of us do not like. There are things in it some of us do like. But it is a good bill, in general, and it helps fight against drugs, puts more money into the classroom, helps family farmers with disaster relief, helps small businesses by quicker phase-in of the 100 percent deduction for self-employed for health insurance, provides flood relief to the Chicago south suburbs.

Mr. Speaker, there is something very important that is missing. I have often stood in the well of this House and I have often asked a very simple question: Is it right, is it fair that under our tax code a married working couple with two incomes pays more in taxes than an identical couple, identical income living together outside of marriage? It is wrong that our tax code punishes marriage with higher taxes.

Earlier this fall, the House of Representatives passed a tax cut providing marriage tax relief for 28 million married working couples; $243 a year they would have received. Unfortunately, they have been left at the altar.

Mr. Speaker, let us make elimination of the marriage tax penalty a number one priority of next year's tax provisions.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I rise in objection to the rule.

As many speakers have said before me, this is a horrible process. It was just a year ago that this House, in a bipartisan vote, passed the Balanced Budget Act of 1997. Now, as we head into a time of surplus, which we do not know how much it is going to be, we have already started to spend that surplus without planning for the future. Earlier this year we passed a highway bill that was at least $20 billion over the Balanced Budget Act. This bill, while there is some emergency spending in it, which I think would qualify as emergency spending and I agree with the concept, I am afraid may well set a precedent going forward where everything we cannot get under the spending caps we are just going to call an emergency and do.

I know parts of Texas have agricultural emergencies and we need to fund that. I know there is a readiness problem. But I have some concerns about funding more for this Star Wars project.

The bill has some good things in it, the increase in NIH, which I support, and there are offsets for that. It has some things that are very important to my State. But overall the bill sets a very bad precedent. It shows the failure of this Congress.

Mr. SOLOMON. Mr. Speaker, I yield myself 30 seconds.

I just do not understand the protest here. The gentleman has not been around here very long. Back in 1983, we had 7 appropriation bills rolled into the continuing resolution. That was under Democrat leadership. In 1985, we had 8 rolled into one bill. In 1986, we had 7. And guess what happened in 1987 and 1988? All 13 were rolled into one continuing resolution. Let us stop kidding ourselves and come over here and vote for the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from the Virgin Islands, (Ms. CHRISTIAN-GREEN).

(Ms. CHRISTIAN-GREEN asked and was given permission to revise and extend her remarks.)

Ms. CHRISTIAN-GREEN. Mr. Speaker, it is with mixed feelings and some disappointment that today I nevertheless support H.R. 4328, although I do have some reservations about the rule.

While many hail it as an example of what can be accomplished when both political parties put their personal agendas aside to reach compromise, and rightly so, the final outcome of this bill is a bittersweet victory for the people of the Virgin Islands. While no bill is perfect and there are winners and losers in every compromise, the failure to even extend the rum rebate at its current level will deal a hard blow to the treasury of the Virgin Islands.

This being said, I still join my colleagues in applauding President Clinton and the Democratic leadership in this Congress for fighting and winning vital new investments for the children of America. I want to thank also President Clinton, his staff and the Democratic leadership and my colleagues, many of them, who helped in securing an increase in children's health care funding for the children of the territories, and Senator CAROL MOSELEY-BRAUN for introducing a companion bill to mine which will breathe new life into a fledgling watch industry.

Before I close, let me just say I also ask for support to continue to work on those taxes for the territories.

Mr. Speaker, it is with mixed feelings and a great deal of disappointment that I rise today to nevertheless support H.R. 4328. While many hail it as an example of what can be accomplished when both political parties put their personal agendas aside to reach compromise, and rightly so, the final outcome of this bill is a bittersweet victory for the people of the Virgin Islands.

While no bill is perfect, and there are winners and losers in every compromise, the failure to even extend the rum revenue rebate at its current level has dealt a hard blow to the treasury of the Virgin Islands.

While we did achieve some of our goals, this very important measure met with such unexpected, inexplicable and adamant opposition, that important capital projects, and programs needed to spur our lagging economy will now go undone.

The hard working people of my district who have served this country in large numbers as

far back as the revolutionary war, and who have made their contributions to this country in other ways are deeply disappointed, but it is an issue that we will continue to pursue because it is a very necessary part of our economy's revitalization.

That being said, I must still join my colleagues in applauding President Clinton and the Democratic Leadership in Congress, for fighting for and winning vital new investments for the children of America.

The President's proposal to hire 100,000 new teachers will help to reduce class sizes in the early grades thereby enhancing individual attention and increase student learning. And by so doing, we will also be preventing more kids from getting in trouble.

The President and Congressional Democrats also secured very important investments in child literacy, college mentoring, after-school programs and summer jobs in this bill.

And finally green cards will be made available to Haitian refugees. Like the majority, while Democrats made strides, we did not get everything.

In addition to being saddened by what we see as a major but only temporary setback on V.I. produced rum, we feel similarly about the loss this year of the school construction initiative, of the ''Patients Bill of Rights'' bill as well as an increase in the minimum wage for working families, and last but not least, the killing of the comprehensive anti-Tobacco legislation which would have saved millions of young Americans from early and avoidable deaths.

In closing I want to thank President Clinton and his staff, the Democratic Leadership, and my colleagues, Appropriations Committee Ranking Democrat DAVE OBEY, my friend from Maryland, STENY HOYER, Congresswoman ROSA DELAURO, Congressman LOUIS STOKES, my Chairwoman MAXINE WATERS, Senator GRAHAM of Florida and all those too numerous to mention who helped in securing an increase in Children's Health Insurance funding for the children of the territories.

This additional funding will mean that the Children of our territories will have the same opportunities for better Health Care as their family and friends on the mainland.

I also want to especially thank Senator CAROL MOSELY-BRAUN for introducing a companion bill to mine which would breathe new life in a fledging industry in my district by instantly creating approximately 400 new jobs on St. Croix. For this effort as well, I must thank Ways and Means Committee Chairman BILL ARCHER and Ranking Democrat CHARLIE RANGEL. Also Trade Subcommittee Chair, PHIL CRANE and Ranking Democrat BOB MATSUI for their help in getting this bill passed today.

And I also ask for your support as we continue to work for the return of funds to Puerto Rico and the Virgin Islands as the law provides.

And last but not least, Finance Committee Chair BILL ROTH and Ranking Democrat PATRICK MOYNIHAN for their support of the proposal also.

My colleagues, while not have all we might have wanted, this bill deserves our support. I urge all to put aside narrow partisan interest and vote in favor of this good bill for America.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I wonder how many of my colleagues would sign a $100,000 mortgage without reading it. I wonder how many of them would take out a $10,000 business loan without reading the terms. I wonder how many of my colleagues would profess to tell their constituents that they know what is in these 4000 pages.

I can tell them there is a $100 million visitors center for here, the Capitol. There is another $104 million for our protection. But I cannot also tell them there is a buyout program for the Pollack industry that I do not know why we need to buy those vessels. That costs us about $50 million.

This spends 500 billion of the taxpayers' money, not our money. And no one in this room can tell us everything that is in it. We have been here all year. I think we can wait a few more days to see to it that Members have the opportunity to study this. If we are not given the opportunity to study this, then I think the only businesslike and responsible thing for the Members to do is to vote against it.

Mr. SOLOMON. Mr. Speaker, I was in my office at 9:30 last night, right up there, when this bill was delivered. No Democrat came up to pick it up until after 9:30 this morning. I would say to the previous speaker, where was he for 12 hours when the bill was up there ready to be read?

Mr. MOAKLEY. Mr. Speaker, the reason that nobody came and picked it up is because they could not find a hand truck big enough to handle the bill.

Mr. Speaker, I yield the balance of my time to the gentleman from Missouri (Mr. GEPHARDT), our Democratic leader.

Mr. GEPHARDT. Mr. Speaker, Ronald Reagan stood in this Chamber nearly a decade ago and attacked the Congress for sending him a massive last-minute appropriation bill. Well, here we go again.

This bill is 4,000 pages long and weighs over 40 pounds. And at that time Ronald Reagan said, Congress should not send another one of these and, if you do, he said, I will not sign it.

Well, here they go again. This bill is a symbol of the wasted time and misguided priorities of a Republican Congress whose leadership consumed our agenda with investigations instead of legislation. Thanks to the Republican leadership, we have worked the fewest days and passed the fewest bills in decades. We did not even pass a budget resolution in this House of Representatives, the first time since the Budget Act passed 24 years ago.

For the last year Republicans in Congress have tried to focus the debate on anything except what is really significant to our future. They have had far more enthusiasm for subpoenas than for schools, and they would rather talk about the FBI than the IMF.

We were able to convince a reluctant and unwilling Republican majority to include funding for 100,000 new teachers in this bill, teachers that will help reduce class size and improve the quality of our children's education. While Democrats may not be satisfied with what was not included in this bill today, we will come back and fight again and again for a Patients' Bill of Rights, anti-teen smoking initiatives and an increase in the minimum wage. And a Democratic majority will hopefully enact the reforms to guarantee the future of Social Security and save the surplus for Social Security, which the Republican majority tried to spend before it could be saved, to save that program.

Ronald Reagan was right. It was a bad way to do business in 1988, and it is a bad way to do business in 1998.

Mr. Speaker, it is time for a change. It is time for a Congress that works full time to help meet the challenges of our future instead of skipping town with unfilled promises and unmet priorities, and one that fulfills its constitutional role to produce a budget in a manner befitting of us all.

If we want to change the agenda, it should be very clear. We have to change the leadership of this Congress. I believe the American people will do that, and I hope for the sake of the people they do.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

I do not want the minority leader to take this wrong, but he has been standing up here emulating my great hero, Ronald Reagan. Let me just say to the gentleman, I know Ronald Reagan. He is a friend of mine. And the minority leader is a great guy and a great friend of mine but he isn't quite the same as Ronald Reagan.

Mr. Speaker, the gentleman from Missouri (Mr. GEPHARDT) was just complaining about being opposed to the bill. I am looking at the conferees here. Every Democrat conferee signed this bill: SABO, TORRES, OLVER, PASTOR, CRAMER. And the President of the United States is for the bill. I do not understand the protest here.

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Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Sanibel, Florida (Mr. PORTER GOSS), a very valuable member of the Committee on Rules. He is also the chairman of the Permanent Select Committee on Intelligence.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I urge support for this rule, the last rule of the year. The last rule of this Congress. This is a fair rule, it is an appropriate rule and, under the circumstances, it is about the only rule we could come up with, and I think we all know it.

This is a debate about the rule, but we are getting into process. Many people have talked about budget process tonight. I want everyone, all the Members, to understand that we have developed a bill, a bipartisan bill, with some very innovative new ideas for budget

process reform. I say this not because we are all proud of the process that we have just seen and we are experiencing tonight, but that we think we can do better. More important than that, there is an opportunity for Members to take that bill and read it, and I would suggest that Members do that because there are some good ideas and we should discuss them in the next Congress.

I would also like to point out the obvious. There is much in this bill. There is much I like, there is much that others like, and there is much that some of us are not so sure about at this point. That is the way it is because we have, right now, a situation of shared power in this country. That is what the voters have dealt us. We also have a separation of powers. That is what the Constitution has given us. And we have certainly something here that is a product where we should not be worried about winners or losers on a partisan basis, we should be worried about whether America wins.

I suggest America is going to win in a number of ways with this piece of legislation. Certainly in education, as we have heard. Certainly in intelligence, as we have not heard. We are reinvesting in the future, so some of the tragedies that were witnessed around the globe this year hopefully will not catch us by surprise or happen again. Certainly in defense. Certainly in the war on drugs. Certainly in a number of other areas that will be of interest to all Americans in their quality of life and in their pocketbook.

So I think this is a good piece of work, even though I would admit the process has been a little unusual.

The final thing I want to do is to pay my public respects to the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules. I have followed the gentleman, who has been a great mentor and a great leader. He lead while we were in the minority, as a ranking member, when we were badly outnumbered. He has led in the majority, as the majority leader and chairman of the Committee on Rules, when we are also badly outnumbered on many occasions. I want to thank him, share my respects, and to the gentleman from Massachusetts (Mr. MOAKLEY) as well.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Massachusetts (Mr. MOAKLEY) has 2 minutes remaining. The minority leader yielded back 2 minutes to the gentleman. The gentleman from New York (Mr. SOLOMON) has 3 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time just to briefly say that there is nothing unusual about considering a group of appropriation bills in an omnibus bill. The Democrats controlled this body for 40 years. All during the 1980s they lumped in 7 bills, 3 bills, 8 bills, 7 bills; and then, in 1987 and 1988, they lumped in all 13 of the appropriation bills. So there is nothing unusual about doing this. We have to compromise, we have to govern.

Upstairs earlier I posed the question, why would a fiscal conservative like myself support this kind of measure when it does have a lot of excess spending that I do not agree with? And I pointed out there are three reasons:

Number one is that the growth of Federal spending has been slowed to 3 percent. That is something that we fiscal conservatives have been fighting for for years, and we finally have succeeded in this bill that is before us today.

The second reason is that the bill raises the overall spending for our military preparedness, something that is so terribly, terribly needed today. That is the reason I am going to vote for the bill.

And, finally, it increases both the level of spending and gives legislative clout to programs to deal with the most important issue facing this Nation today, and that is the illegal drug war that is taking away a whole new generation of Americans. We have to do something about it. This bill does it.

That is why we should all come over here and vote for the rule, and then we should vote for the omnibus bill.

I salute the chairman of the Committee on Appropriations, the gentleman from Louisiana (Mr. BOB LIVINGSTON), for an outstanding job on bringing this to the floor today, and I urge support for the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to address some concerns on the Rule in H.R. 4328, the Omnibus Appropriations for the FY 99 Conference Report.

Although many of us are satisfied with the bill, we are very unhappy with the process that got us here. This bill contains over half of the appropriations necessary to keep this country going next year, including the funding for the Departments of Labor, Health and Human Services, Commerce, Justice, State, Agriculture, and Interior. It represents the most vital programs for our elderly, our disabled, our impoverished, and most importantly, our children. We simply cannot afford to play partisan politics with these people's lives, and hope that next year we will have a Democratic Congress so that we do not have to play these games.

Throughout this 105th Congress women's concerns have been repeatedly ignored. The Republican leadership has with one exception voted to reduce women's choices for adequate health care and has attempted to disempower us. It should be no surprise that once again women Federal prisoners are once again denied the right to choose an abortion. Women who discover they are pregnant after incarceration, have no option but to have a child which they will not have custody to, during their prison term.

The option to choose abortion, is one that is not available to them, and this is wrong and unfair.

In addition, here in the District of Columbia, the use of local and Federal funding for needle exchange programs in the District have been banned. Needle exchange programs which reduce the spread of HIV and hepatitis, can help to save lives, to cut this funding will exacerbate an already desperate situation for many D.C. residents. Not surprisingly, here in D.C. the use of Federal and D.C. funds used to provide women with access to abortion services are also denied, except in cases where the life of the mother is threatened, or in cases of rape or incest.

It should also be no surprise that gays and lesbians were denied important freedoms under the D.C. appropriations bill. In light of the hateful and violent crime against Matthew Shepard during this pat month, it should be clear to all of us, that our gay and lesbian constituents deserve the same equal rights as all of us.

I am also dismayed that a crucial provision of the foreign appropriations bill reduces funds for international family planning assistance. The elimination of funding by the United States for the U.N. Population Fund will deprive several hundred thousand women of effective contraception and put many of these women at risk for life threatening illnesses and injuries during an unwanted to unplanned pregnancy. More than 1,000 women will die as a result of these cuts. This simply is not acceptable.

Under the Labor HHS bill, this Congress has voted not to cover Federal funding for needle exchange programs, prohibit the use of Federal funds for embryo research, and expand the Hyde language to cover Medicare funding, meaning that women dependent on Medicare will not be able to access abortions. All of these decisions are harmful to women and to our less powerful members of society. Those who cannot fend for themselves should find protection through our Government. Yet, to refuse poor women on Medicare the choice to an abortion, and to vote not to provide our sick citizens with access to clean needles is shameful.

The Treasury Postal appropriations bill provision continues a prohibition on the use of funds for abortion in connection with any health plan under the Federal employees health benefit program, except where the life of the mother is threatened or where the woman is a victim of rape or incest. Under Supreme Court decisions, women have been allowed the choice for abortion and reproductive freedom, yet the leadership in this Congress has done everything within its power to erode these import rights.

Furthermore, this bill has come to the floor without adequate time for review. The bill itself, along with the conference report total well over 1,000 pages,

The way that this bill comes to the floor; however, should not surprise any of us. This is the same majority that passed a ''martial law'' resolution last week, which allows them to bring a bill to the floor without notice, without preparation, and without adequate time for deliberation. This is the same majority that brought the Labor-HHS appropriations bill to the floor for debate on just one issue, family planning, to appease their supporters on the far-right. This is the same majority that did not include Democratic representatives in their Conference Committee meetings. Having seen how the majority has handled this appropriations process, should we be surprised by the manner this bill has come to the floor? No. Are we outraged? Yes!

I urge all of you to vote against this rule, to reaffirm our commitment to the Democratic process.

Mr. SOLOMON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Without objection, the Chair will reduce to 5 minutes the time for any electronic vote on H. Res. 604 after this vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 333, nays 88, not voting 13, as follows:

[Roll No. 536]

YEAS—333

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth
Clay
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kilpatrick
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lowey
Lucas
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—88

Allen
Andrews
Barrett (WI)
Bentsen
Bonior
Borski
Brown (CA)
Cardin
Carson
Christensen
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Davis (FL)
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Edwards
Ensign
Etheridge
Filner
Ford
Frank (MA)
Furse
Gordon
Green
Gutierrez
Hastings (FL)
Hilliard
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kanjorski
Kildee
Kind (WI)
Kleczka
Klink
LaFalce
Lee
Lipinski
Lofgren
Luther
Maloney (CT)
Martinez
McCarthy (MO)
McDermott
McHale
McKinney
Menendez
Miller (CA)
Minge
Nadler
Neal
Olver
Owens
Payne
Peterson (MN)
Rahall
Rivers
Rush
Salmon
Sanchez
Sanders
Scarborough
Shays
Sherman
Skaggs
Stupak
Taylor (MS)
Thompson
Thurman
Tiahrt
Towns
Vento
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Woolsey
Yates

NOT VOTING—13

Becerra
Fazio
Hansen
Kennedy (RI)
Meehan
Mollohan
Oberstar
Poshard
Pryce (OH)
Smith (NJ)
Stark
Tauscher
Weygand

☐ 1753

Messrs. WEXLER, VENTO and OLVER changed their vote from ''yea'' to ''nay.''

Messrs. STUMP, HINOJOSA and PORTMAN changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 1132, BANDELIER NATIONAL MONUMENT ADMINISTRATIVE IMPROVEMENT AND WATERSHED PROTECTION ACT OF 1998 AND S. 2133, PRESERVATION OF THE ROUTE 66 CORRIDOR

The SPEAKER pro tempore (Mr. THORNBERRY). The pending business is the question of agreeing to House Resolution 604, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 189, not voting 16, as follows:

[Roll No. 537]

YEAS—229

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul

Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—189

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Capps
Cardin
Carson
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NOT VOTING—16

Becerra
Brown (OH)
Clayton
Fazio
Hansen
Kennedy (RI)
Meehan
Mollohan
Northup
Poshard
Pryce (OH)
Slaughter
Stark
Tauscher
Velazquez
Weygand

□ 1804

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 345

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Concurrent Resolution 345. My name was added to this bill in error.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from California?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757) ''An Act to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes.''

CONFERENCE REPORT ON H.R. 4328, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 605, I call up the conference report on the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 605, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, October 19, 1998.)

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

PARLIAMENTARY INQUIRY

Mr. NEUMANN. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. NEUMANN. Mr. Speaker, may I inquire if the gentleman from Wisconsin (Mr. OBEY) is in opposition to the bill?

The SPEAKER pro tempore. The Chair will inquire of the gentleman from Wisconsin (Mr. OBEY) if he supports or opposes the conference report.

Mr. OBEY. I support the conference report, Mr. Speaker.

Mr. NEUMANN. Mr. Speaker, I believe under House rule XXVIII, clause 2, that it is permitted in the House for a Member in opposition to rise and claim one-third of the time in the event both Members support the bill.

The SPEAKER pro tempore. Does the gentleman from Wisconsin (Mr. NEUMANN) oppose the conference report?

Mr. NEUMANN. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman qualifies.

Under the rules of the House, the gentleman from Louisiana (Mr. LIVINGSTON) will be recognized for 20 minutes, the gentleman from Wisconsin (Mr. OBEY) will be recognized for 20 minutes, and the gentleman from Wisconsin (Mr. NEUMANN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. LIVINGSTON).

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on H.R. 4328.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 6 minutes.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, this is the conference report to accompany the Transportation Appropriations Act, H.R. 4328, for the consideration of the House. The historians will refer to this bill as the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999. Mr. Speaker, the title of the Transportation Appropriations Act is amended in this conference report.

Mr. Speaker, this bill includes eight regular Fiscal Year 1999 appropriation bills wrapped up in a bundle—Treasury, Transportation, Foreign Operations, Commerce-Justice, District of Columbia, Labor-HHS-Education, Interior, and the once vetoed Agriculture bill. Total discretionary amount included in this bill is roughly $221 billion. It also includes a $20 billion emergency supplemental appropriation that funds our troops in Bosnia, addresses the Y2K problem, and fully funds, indeed exceeds, the administration's request for diplomatic security around the world as well as addressing security concerns here at the Capitol. It also makes an $8 billion long overdue commitment to

address the readiness needs of the United States military along with Bosnia funding which was not originally requested by the President in his initial budget request.

This conference report includes emergency agriculture funding to the tune of nearly $6 billion. It also includes $1.5 billion not requested by the Clinton administration to address the ravages of Hurricane Georges, and it provides $700 million for various drug interdiction related activities.

Mr. Speaker, because this bill has become a vehicle to clean out the remainder of the legislative schedule, it also contains several items on which authorizers could come to agreement such as the Chemical Weapons Convention Implementation Act, an agreed upon list of tax extenders, a 6-month extension of the airport improvement program, the H1B extension of temporary visas for certain professional workers, a 3-year moratorium on Internet taxation, and a framework to address the difficult but important issue of Internet pornography and the State Department reorganization bill, although the U.N. reform provisions are not included.

There are other provisions that were resolved under the framework of the appropriations process that I would like to highlight at this point. The bill contains a provision that concluded the year-long debate over increasing the quota share of the IMF. The final product bears a remarkable resemblance to the reforms proposed earlier this year by the gentleman from Alabama (Mr. CALLAHAN) and myself.

□ 1815

These reforms should assure Members that there will be reform of the IMF procedures prior to its receiving additional funds.

The Mexico City language that has been of such interest to many Members on this side of the aisle remains in the same authorizing legislation that contains the UN reforms. This legislation has passed Congress, and I am told will be sent to the President for his disposition.

The census along with the rest of the Commerce-Justice section of this bill have restrictions on the funding after June 15th, 1999. Hopefully, we will have a final court decision on the future of statistical sampling on the census. I might add that such sampling has, for the moment, been ruled to be illegal. I want to point out that when this issue is resolved, we will have to make arrangements in the spring to assure these agencies are not shut down because of this restriction. I do anticipate that census sampling will remain illegal.

There is money in this bill for the Korean Energy Development Program, popularly known as KEDO, but such funds are contingent on the President assuring Congress that there is real, and I mean real, progress in the effort to get the North Koreans to end their missile programs.

There is language important to many Members that allows certain Haitian refugees to receive green cards.

The effort to fund 100,000 teachers is begun in this bill.

I want to make two points here. First, for my friends on this side of the aisle who believe strongly as I do that money and power needs to be directed to the state and local school districts through block grants, this bill does exactly that. There is $7.7 billion in educational block grants earmarked for local governments. This is nearly $500 million more than last year.

This provision gets lost in the flurry of rhetoric about education, but it is a fact. We are doing what the American people want done, turning back money and decision making power into the classrooms and away from the bureaucrats in the Federal triangle.

I want to note the contributions here of one of our retiring Members. The entire 100,000 teachers concept began with my friend, the gentleman from New York (Mr. PAXON). He was advocating this program long before anyone else. I am proud to have been a prime cosponsor of that initiative. When the gentleman from New York (Mr. PAXON) retires, this will be one more way for us to remember his very dedicated public service.

Mr. Speaker, there is much else in this bill, the 40 pounds of documents that are in front of you. There are undoubtedly things many Members can embrace; likewise, there may be things that some Members did not get as requested.

But, personally, I long for the day when we can break free of this omnibus concept. Its greatest virtue is its greatest vice. It must be swallowed whole to complete our business. It must be swallowed whole, so the good goes down with the bad, and that can easily be avoided.

We on the Committee on Appropriations are not happy doing our business that way. We are prepared to work with anyone willing to restore the integrity of the process. But I might remind Members that by adopting this bill, we can show that we can govern, that we have balanced the budget and achieved the first surplus in 30 years. We have in this Congress provided the first tax cut in 16 years, and that it is important to vote for this bill and go home to our districts to explain why we should come back in the majority in the 106th Congress.

Mr. Speaker, I urge the adoption of this conference report.

Mr. Speaker, I include the following for the RECORD.

Mr. Speaker, some have inquired whether the Government of Israel has agreed to make-up the shortage in its annual commitment to purchase and ship, on U.S.-flag vessels, American grain.

Many of us have been concerned, specifically my good friend from California, Congressman LANTOS, that the Government of Israel has in recent years been late in achieving its commitment to purchase and ship, on U.S.-flag vessels, American grain. In response to our concerns, the Israeli Ambassador, Zalman Shoval, has forcefully renewed the Government of Israel's commitment and agreed that the Government of Israel would make up any shortfall immediately. I am pleased with his response. I would like to submit for the record a letter from the Ambassador to Congressman LANTOS and me and our response thereto.

In addition, I expect to receive very shortly the Government of Israel's Fiscal Year 1999 ''Side Letter.'' The Ambassador has assured me that this letter will include a statement that the Government of Israel will ensure that private grain purchasers and importers will charter qualified privately owned U.S.-flag commercial vessels to carry grain from the U.S. to Israel.

EMBASSY OF ISRAEL,
Washington, DC, October 1, 1998.

Hon. ROBERT L. LIVINGSTON,
Chairman, Appropriations Committee, House of Representatives, Washington, DC.

Hon. TOM LANTOS,
Member of Congress, House of Representatives, Washington, DC.

DEAR CONGRESSMEN LIVINGSTON AND LANTOS: The GOI has previously written to you concerning its commitment to cause the employment of U.S.-flag dry bulk carriers for the carriage of approximately 800,000 tons of grain for the period, October 1, 1997 through September 30, 1998. To the extent that extraordinary circumstances may lead to a shortfall in fullfilling this commitment in that period, the shortfall will be made up in the next succeeding fiscal year without diminution in the full commitment.

Accordingly, this will confirm our commitment to cause to be shipped, as provided in the Cargo Preference Act, in FY 1999 the approximately 350,000 MT of grain on such carriers, that constitutes the shortfall from FY 1998, in addition to the commitment for FY 1999.

Sincerely,

ZALMAN SHOVAL,
Ambassador.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 13, 1998.

Hon. ZALMAN SHOVAL,
Ambassador to the United States, Embassy of Israel, Washington, DC.

DEAR AMBASSADOR SHOVAL: Thank you for your letter dated October 1, 1998, regarding the Government of Israel's (GOI) grain purchase and shipment commitments.

We consider the GOI's grain purchase and shipment commitment embodied in the annual ''Side Letter'' issued by the GOI to be the utmost importance to the United States. We hereby acknowledge receipt of the GOI's fiscal year 1999 renewal of its annual commitment to purchase at least 1.6 million metric tons of grain in the United States and to ship at least half of that quantity, 800,000 metric tons, on qualified, privately owned, commercial U.S.-flag vessels.

Moreover, we acknowledge receipt of GOI's further commitment to make up the fiscal year 1998 shortfall of 350,000 metric tons by shipping this amount of grain on qualified, privately owned, commercial U.S.-flag vessels. This amount of grain will be in addition to the GOI's 800,000 ton fiscal year 1999 commitment.

Again, thank you for your response. We appreciate your efforts and assistance with this matter.

Sincerely,

BOB LIVINGSTON,
Member of Congress.

TOM LANTOS,
Member of Congress.

Mr. Speaker, at this point in this RECORD, I would like to insert several tables containing summaries of the appropriations in this conference report.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - AGRICULTURAL PROGRAMS						
Production, Processing, and Marketing						
Office of the Secretary	3,379,000	2,941,000	2,941,000	2,836,000	2,836,000	-543,000
Executive Operations:						
Chief Economist	5,048,000	5,823,000	5,973,000	5,048,000	5,620,000	+572,000
Commission on 21st Century Production Agriculture	.....	350,000	.....	.....	.....	.....
National Appeals Division	11,718,000	13,297,000	12,204,000	11,718,000	11,718,000	.....
Office of Budget and Program Analysis	5,986,000	6,045,000	6,120,000	5,986,000	6,120,000	+134,000
Office of the Chief Information Officer	4,773,000	7,222,000	5,551,000	5,551,000	5,551,000	+778,000
Total, Executive Operations	27,525,000	32,737,000	29,848,000	28,303,000	29,009,000	+1,484,000
Office of the Chief Financial Officer	4,283,000	4,562,000	4,283,000	4,283,000	4,283,000	.....
Office of the Assistant Secretary for Administration	613,000	636,000	636,000	613,000	613,000	.....
Agriculture buildings and facilities and rental payments	131,085,000	147,689,000	137,184,000	137,184,000	137,184,000	+6,099,000
Payments to GSA	(98,600,000)	(108,057,000)	(108,057,000)	(108,057,000)	(108,057,000)	(+9,457,000)
Building operations and maintenance	(24,785,000)	(24,127,000)	(24,127,000)	(24,127,000)	(24,127,000)	(-658,000)
Repairs, renovations, and construction	(5,000,000)	(15,505,000)	(5,000,000)	(5,000,000)	(5,000,000)	.....
Relocation expenses	(2,700,000)	.....	.....	.....	.....	(-2,700,000)
Hazardous waste management	15,700,000	15,700,000	15,700,000	15,700,000	15,700,000	.....
Departmental administration	29,231,000	32,168,000	32,168,000	27,034,000	32,168,000	+2,937,000
Outreach for socially disadvantaged farmers	3,000,000	10,000,000	3,000,000	3,000,000	3,000,000	.....
Office of the Assistant Secretary for Congressional Relations	3,668,000	3,814,000	3,668,000	3,668,000	3,668,000	.....
Office of Communications	8,138,000	8,319,000	8,138,000	8,138,000	8,138,000	.....
Office of the Inspector General	63,128,000	87,689,000	67,178,000	63,128,000	65,128,000	+2,000,000
Office of the General Counsel	28,759,000	30,446,000	30,396,000	28,759,000	29,194,000	+435,000
Office of the Under Secretary for Research, Education and Economics	540,000	560,000	560,000	540,000	540,000	.....
Economic Research Service	71,604,000	55,839,000	67,282,000	53,109,000	65,757,000	-5,847,000
National Agricultural Statistics Service	118,048,000	107,190,000	105,082,000	103,964,000	103,964,000	-14,084,000
Census of Agriculture	(36,327,000)	(23,741,000)	(23,141,000)	(23,599,000)	(23,599,000)	(-12,728,000)
Agricultural Research Service	744,382,000	776,828,000	755,816,000	768,221,000	785,518,000	+41,136,000
Buildings and facilities	80,630,000	35,900,000	61,380,000	31,930,000	56,437,000	-24,193,000
Total, Agricultural Research Service	825,012,000	812,728,000	817,196,000	800,151,000	841,955,000	+16,943,000
Cooperative State Research, Education, and Extension Service:						
Research and education activities	431,410,000	412,589,000	431,125,000	432,982,000	481,216,000	+49,806,000
Native American Institutions Endowment Fund	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	.....
Extension activities	423,376,000	418,651,000	416,789,000	432,181,000	437,987,000	+14,611,000
Total, Cooperative State Research, Education, and Extension Service	854,786,000	831,240,000	847,914,000	865,163,000	919,203,000	+64,417,000
Office of the Assistant Secretary for Marketing and Regulatory Programs	618,000	642,000	642,000	618,000	618,000	.....
Animal and Plant Health Inspection Service:						
Salaries and expenses	425,932,000	417,752,000	424,500,000	419,473,000	425,803,000	-129,000
AQI user fees	(88,000,000)	(100,000,000)	(88,000,000)	(88,000,000)	(88,000,000)	.....
Buildings and facilities	4,200,000	5,200,000	5,200,000	4,200,000	7,700,000	+3,500,000
Total, Animal and Plant Health Inspection Service	430,132,000	422,952,000	429,700,000	423,673,000	433,503,000	+3,371,000
Agricultural Marketing Service:						
Marketing Services	46,567,000	58,469,000	46,567,000	45,567,000	48,831,000	+2,264,000
New user fees	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	.....
(Limitation on administrative expenses, from fees collected)	(59,521,000)	(60,730,000)	(60,730,000)	(59,521,000)	(60,730,000)	(+1,209,000)
Funds for strengthening markets, income, and supply (transfer from section 32)	10,690,000	10,998,000	10,998,000	10,998,000	10,998,000	+308,000
Payments to states and possessions	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	.....
Total, Agricultural Marketing Service	58,457,000	70,667,000	58,765,000	57,765,000	61,029,000	+2,572,000
Grain Inspection, Packers and Stockyards Administration	25,390,000	11,797,000	27,542,000	26,390,000	26,787,000	+1,397,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected)	(43,092,000)	(42,557,000)	(42,557,000)	(42,557,000)	(42,557,000)	(-535,000)
Office of the Under Secretary for Food Safety	446,000	598,000	.....	446,000	446,000	.....
Food Safety and Inspection Service	588,761,000	149,566,000	609,250,000	605,149,000	616,986,000	+28,225,000
Lab accreditation fees 1/	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
Total, Production, Processing, and Marketing	3,292,303,000	2,840,480,000	3,299,073,000	3,259,614,000	3,401,709,000	+109,406,000
Farm Assistance Programs						
Office of the Under Secretary for Farm and Foreign Agricultural Services	572,000	597,000	597,000	572,000	572,000	.....

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Farm Service Agency:						
Salaries and expenses	699,579,000	723,478,000	724,499,000	710,842,000	714,499,000	+14,920,000
(Transfer from export loans)	(589,000)	(672,000)	(589,000)	(589,000)	(589,000)	.....
(Transfer from P.L. 480)	(815,000)	(845,000)	(815,000)	(815,000)	(815,000)	.....
(Transfer from ACIF)	(209,861,000)	(227,673,000)	(209,861,000)	(209,861,000)	(209,861,000)	.....
Total, salaries and expenses	(910,844,000)	(952,868,000)	(935,764,000)	(922,107,000)	(925,764,000)	(+14,920,000)
State mediation grants	2,000,000	4,000,000	2,000,000	2,000,000	2,000,000	.....
Dairy indemnity program	550,000	450,000	450,000	450,000	450,000	-100,000
Total, Farm Service Agency	702,129,000	727,928,000	726,949,000	713,292,000	716,949,000	+14,820,000
Agricultural Credit Insurance Fund Program Account:						
Loan authorizations:						
Farm ownership loans:						
Direct	(78,320,000)	(85,000,000)	(75,000,000)	(85,649,000)	(85,651,000)	(+7,331,000)
Guaranteed	(425,000,000)	(425,031,000)	(425,031,000)	(425,000,000)	(425,031,000)	(+31,000)
Subtotal	(503,320,000)	(510,031,000)	(500,031,000)	(510,649,000)	(510,682,000)	(+7,362,000)
Farm operating loans:						
Direct	(565,000,000)	(500,000,000)	(500,000,000)	(560,472,000)	(500,000,000)	(-65,000,000)
Guaranteed unsubsidized	(992,906,000)	(1,700,000,000)	(1,276,000,000)	(992,906,000)	(948,276,000)	(-44,630,000)
Guaranteed subsidized	(235,000,000)	(200,000,000)	(200,000,000)	(235,000,000)	(200,000,000)	(-35,000,000)
Subtotal	(1,792,906,000)	(2,400,000,000)	(1,976,000,000)	(1,788,378,000)	(1,648,276,000)	(-144,630,000)
Indian tribe land acquisition loans	(1,000,000)	(1,003,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
Emergency disaster loans	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	.....
Boll weevil eradication loans	(53,467,000)	(30,000,000)	(100,000,000)	(40,000,000)	(100,000,000)	(+46,533,000)
Credit sales of acquired property	(25,000,000)	(25,000,000)	(25,000,000)	.....	.....	(-25,000,000)
Total, Loan authorizations	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
Loan subsidies:						
Farm ownership loans:						
Direct	8,329,000	12,725,000	11,228,000	12,822,000	12,822,000	+4,493,000
Guaranteed	16,407,000	6,758,000	6,758,000	6,758,000	6,758,000	-9,649,000
Subtotal	24,736,000	19,483,000	17,986,000	19,580,000	19,580,000	-5,156,000
Farm operating loans:						
Direct	36,823,000	34,150,000	34,150,000	38,280,000	34,150,000	-2,673,000
Guaranteed unsubsidized	11,617,000	19,720,000	11,000,000	11,518,000	11,000,000	-617,000
Guaranteed subsidized	22,654,000	17,480,000	17,480,000	20,539,000	17,480,000	-5,174,000
Subtotal	71,094,000	71,350,000	62,630,000	70,337,000	62,630,000	-8,464,000
Indian tribe land acquisition	132,000	153,000	153,000	153,000	153,000	+21,000
Emergency disaster loans	6,008,000	5,900,000	5,900,000	5,900,000	5,900,000	-108,000
Boll weevil loans subsidy	472,000	432,000	1,440,000	576,000	1,440,000	+968,000
Credit sales of acquired property	3,255,000	3,260,000	3,260,000	.....	.....	-3,255,000
Total, Loan subsidies	105,697,000	100,578,000	91,369,000	96,546,000	89,703,000	-15,994,000
ACIF expenses:						
Salaries and expense (transfer to FSA)	209,861,000	227,673,000	209,861,000	209,861,000	209,861,000	.....
Administrative expenses	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	.....
Total, ACIF expenses	219,861,000	237,673,000	219,861,000	219,861,000	219,861,000	.....
Total, Agricultural Credit Insurance Fund	325,558,000	338,251,000	311,230,000	316,407,000	309,564,000	-15,994,000
(Loan authorization)	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
Total, Farm Service Agency	1,027,687,000	1,066,179,000	1,038,179,000	1,029,699,000	1,026,513,000	-1,174,000
Risk Management Agency:						
Administrative and operating expenses	64,000,000	66,000,000	64,000,000	64,000,000	64,000,000	.....
Sales commission of agents	188,571,000	.....	.....	.....	.....	-188,571,000
Total, Risk Management Agency	252,571,000	66,000,000	64,000,000	64,000,000	64,000,000	-188,571,000
Total, Farm Assistance Programs	1,280,830,000	1,132,776,000	1,102,776,000	1,094,271,000	1,091,085,000	-189,745,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Corporations						
Federal Crop Insurance Corporation:						
Federal crop insurance corporation fund	1,584,135,000	1,504,036,000	1,504,036,000	1,504,036,000	1,504,036,000	-80,099,000
Commodity Credit Corporation Fund:						
Reimbursement for net realized losses	783,507,000	8,438,000,000	8,439,000,000	8,439,000,000	8,439,000,000	+7,655,493,000
Operations and maintenance for hazardous waste management (limitation on administrative expenses)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	.....
Total, Corporations	2,367,642,000	9,943,036,000	9,943,036,000	9,943,036,000	9,943,036,000	+7,575,394,000
Total, title I, Agricultural Programs	6,940,775,000	13,916,292,000	14,344,885,000	14,296,921,000	14,435,830,000	+7,495,055,000
(By transfer)	(211,265,000)	(229,190,000)	(211,265,000)	(211,265,000)	(211,265,000)	.....
(Loan authorization)	(2,400,693,000)	(2,991,034,000)	(2,627,031,000)	(2,365,027,000)	(2,284,958,000)	(-115,735,000)
(Limitation on administrative expenses)	(107,613,000)	(108,287,000)	(108,287,000)	(107,078,000)	(108,287,000)	(+674,000)
TITLE II - CONSERVATION PROGRAMS						
Office of the Under Secretary for Natural Resources and Environment	693,000	719,000	719,000	693,000	693,000	.....
Natural Resources Conservation Service:						
Conservation operations	632,853,000	742,231,000	641,243,000	638,664,000	641,243,000	+8,390,000
Watershed surveys and planning 2/	11,190,000	.....	9,545,000	11,190,000	10,368,000	-822,000
Watershed and flood prevention operations 3/	101,036,000	49,000,000	97,850,000	101,036,000	99,443,000	-1,593,000
Resource conservation and development	34,377,000	34,377,000	35,000,000	34,377,000	35,000,000	+623,000
Forestry incentives program	6,325,000	.....	.....	6,325,000	6,325,000	.....
Total, Natural Resources Conservation Service	785,781,000	825,608,000	783,638,000	791,592,000	792,379,000	+6,598,000
Total, title II, Conservation Programs	786,474,000	826,327,000	784,357,000	792,285,000	793,072,000	+6,598,000
TITLE III - RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS						
Office of the Under Secretary for Rural Development	588,000	611,000	611,000	588,000	588,000	.....
Rural community advancement program	652,197,000	715,172,000	745,172,000	702,601,000	722,686,000	+70,489,000
Delta region economic development program	.....	26,000,000	.....	.....	.....	.....
Rural Housing Service:						
Rural Housing Insurance Fund Program Account:						
Loan authorizations:						
Single family (sec. 502)	(1,000,000,000)	(1,000,000,000)	(930,600,000)	(1,000,000,000)	(965,313,000)	(-34,687,000)
Unsubsidized guaranteed	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	(3,000,000,000)	.....
Housing repair (sec. 504)	(30,000,000)	(25,001,000)	(25,001,000)	(30,000,000)	(25,001,000)	(-4,999,000)
Farm labor (sec. 514)	(15,000,000)	(32,108,000)	(20,000,000)	(15,758,000)	(20,000,000)	(+5,000,000)
Rental housing (sec. 515)	(128,640,000)	(100,000,000)	(100,000,000)	(128,640,000)	(114,321,000)	(-14,319,000)
Multifamily housing guarantees (sec. 538)	(19,700,000)	(150,000,000)	(125,000,000)	(75,000,000)	(100,000,000)	(+80,300,000)
Site loans (sec. 524)	(600,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,152,000)	(+4,552,000)
Credit sales of acquired property	(25,000,000)	(30,007,000)	(25,000,000)	(25,000,000)	(16,930,000)	(-8,070,000)
Self-help housing land development fund	(587,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(+4,413,000)
Total, Loan authorizations	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Loan subsidies:						
Single family (sec. 502)	128,100,000	118,200,000	110,000,000	118,200,000	114,100,000	-14,000,000
Unsubsidized guaranteed	6,900,000	2,700,000	2,700,000	2,700,000	2,700,000	-4,200,000
Housing repair (sec. 504)	10,300,000	8,808,000	8,808,000	10,569,000	8,808,000	-1,492,000
Multifamily housing guarantees (sec. 538)	1,200,000	3,480,000	2,900,000	1,740,000	2,320,000	+1,120,000
Farm labor (sec. 514)	7,388,000	16,706,000	10,406,000	8,199,000	10,406,000	+3,018,000
Rental housing (sec. 515)	68,745,000	48,250,000	48,250,000	62,069,000	55,160,000	-13,585,000
Site loans (sec. 524)	.....	17,000	17,000	16,000	17,000	+17,000
Credit sales of acquired property	3,492,000	4,672,000	3,492,000	3,826,000	3,492,000	.....
Self-help housing land development fund	17,000	282,000	282,000	282,000	282,000	+265,000
Total, Loan subsidies	226,142,000	203,115,000	186,855,000	207,601,000	197,285,000	-28,857,000
RHIF administrative expenses (transfer to RHS)	354,785,000	367,857,000	354,785,000	360,785,000	360,785,000	+6,000,000
Rental assistance program:						
(Sec. 521)	535,497,000	577,497,000	577,497,000	577,497,000	577,497,000	+42,000,000
(Sec. 502(c)(5)(D))	5,900,000	5,900,000	5,900,000	5,900,000	5,900,000	.....
Total, Rental assistance program	541,397,000	583,397,000	583,397,000	583,397,000	583,397,000	+42,000,000
Total, Rural Housing Insurance Fund	1,122,324,000	1,154,369,000	1,125,037,000	1,151,783,000	1,141,467,000	+19,143,000
(Loan authorization)	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Mutual and self-help housing grants	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	.....
Rural community fire protection grants	2,000,000	.....	.....	.....	.....	-2,000,000
Rural housing assistance grants	45,720,000	46,900,000	41,000,000	45,720,000	41,000,000	-4,720,000
Subtotal, grants and payments	73,720,000	72,900,000	67,000,000	71,720,000	67,000,000	-6,720,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
RHS expenses:						
Salaries and expenses	57,958,000	60,978,000	57,958,000	60,978,000	60,978,000	+3,020,000
(Transfer from RHIF)	(354,785,000)	(367,857,000)	(354,785,000)	(360,785,000)	(360,785,000)	(+6,000,000)
Total, RHS expenses	(412,743,000)	(428,835,000)	(412,743,000)	(421,763,000)	(421,763,000)	(+9,020,000)
Total, Rural Housing Service	1,254,002,000	1,288,247,000	1,249,995,000	1,284,481,000	1,269,445,000	+15,443,000
(Loan authorization)	(4,219,527,000)	(4,347,116,000)	(4,235,601,000)	(4,284,398,000)	(4,251,717,000)	(+32,190,000)
Rural Business-Cooperative Service:						
Rural Development Loan Fund Program Account:						
(Loan authorization)	(35,000,000)	(35,000,000)	(35,000,000)	(33,000,000)	(33,000,000)	(-2,000,000)
Loan subsidy	16,888,000	17,622,000	17,622,000	16,615,000	16,615,000	-273,000
Administrative expenses (transfer to RBCS)	3,482,000	3,547,000	3,499,000	3,482,000	3,482,000	.....
Total, Rural Development Loan Fund	20,370,000	21,169,000	21,121,000	20,097,000	20,097,000	-273,000
Rural Economic Development Loans Program Account:						
(Loan authorization)	(25,000,000)	(15,000,000)	(15,000,000)	(23,000,000)	(15,000,000)	(-10,000,000)
Direct subsidy	5,978,000	3,783,000	3,783,000	5,801,000	3,783,000	-2,195,000
Alternative Agricultural Research and Commercialization Revolving Fund	7,000,000	10,000,000	.....	7,000,000	3,500,000	-3,500,000
Rural cooperative development grants	3,000,000	5,700,000	3,300,000	3,000,000	3,300,000	+300,000
RBCS expenses:						
Salaries and expenses	25,680,000	26,396,000	25,680,000	25,680,000	25,680,000	.....
(Transfer from RDLFP)	(3,482,000)	(3,547,000)	(3,499,000)	(3,482,000)	(3,482,000)	.....
Total, RBCS expenses	(29,162,000)	(29,943,000)	(29,179,000)	(29,162,000)	(29,162,000)	.....
Total, Rural Business-Cooperative Service	62,028,000	67,048,000	53,884,000	61,578,000	56,360,000	-5,668,000
(By transfer)	(3,482,000)	(3,547,000)	(3,499,000)	(3,482,000)	(3,482,000)	.....
(Loan authorization)	(60,000,000)	(50,000,000)	(50,000,000)	(56,000,000)	(48,000,000)	(-12,000,000)
Rural Utilities Service:						
Rural Electrification and Telecommunications Loans Program Account:						
Loan authorizations:						
Direct loans:						
Electric 5%	(125,000,000)	(55,000,000)	(71,500,000)	(71,500,000)	(71,500,000)	(-53,500,000)
Telecommunications 5%	(75,000,000)	(50,000,000)	(75,000,000)	(75,000,000)	(75,000,000)	.....
Subtotal	(200,000,000)	(105,000,000)	(146,500,000)	(146,500,000)	(146,500,000)	(-53,500,000)
Treasury rates: Telecommunications	(300,000,000)	(300,000,000)	(300,000,000)	(250,000,000)	(300,000,000)	.....
Muni-rate: Electric	(500,000,000)	(250,000,000)	(295,000,000)	(295,000,000)	(295,000,000)	(-205,000,000)
FFB loans:						
Electric, regular	(300,000,000)	(300,000,000)	(700,000,000)	(700,000,000)	(700,000,000)	(+400,000,000)
Telecommunications	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	.....
Subtotal	(420,000,000)	(420,000,000)	(820,000,000)	(820,000,000)	(820,000,000)	(+400,000,000)
Total, Loan authorizations	(1,420,000,000)	(1,075,000,000)	(1,561,500,000)	(1,511,500,000)	(1,561,500,000)	(+141,500,000)
Loan subsidies:						
Direct loans:						
Electric 5%	9,325,000	7,172,000	9,325,000	9,325,000	9,325,000	.....
Telecommunications 5%	2,940,000	4,895,000	7,342,000	7,342,000	7,342,000	+4,402,000
Subtotal	12,265,000	12,067,000	16,667,000	16,667,000	16,667,000	+4,402,000
Treasury rates: Telecommunications	60,000	810,000	810,000	675,000	810,000	+750,000
Muni-rate: Electric	21,100,000	21,900,000	25,842,000	25,842,000	25,842,000	+4,742,000
FFB loans: Electric, regular	2,760,000	.....	.....	.....	.....	-2,760,000
Total, Loan subsidies	36,185,000	34,777,000	43,319,000	43,184,000	43,319,000	+7,134,000
RETLP administrative expenses (transfer to RUS)	29,982,000	32,000,000	29,982,000	29,982,000	29,982,000	.....
Total, Rural Electrification and Telecommunications Loans Program Account	66,167,000	66,777,000	73,301,000	73,166,000	73,301,000	+7,134,000
(Loan authorization)	(1,420,000,000)	(1,075,000,000)	(1,561,500,000)	(1,511,500,000)	(1,561,500,000)	(+141,500,000)
Rural Telephone Bank Program Account:						
(Loan authorization)	(175,000,000)	(175,000,000)	(175,000,000)	(140,000,000)	(157,509,000)	(-17,491,000)
Direct loan subsidy	3,710,000	4,638,000	4,638,000	3,710,000	4,174,000	+464,000
RTP administrative expenses (transfer to RUS)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	.....
Total	6,710,000	7,638,000	7,638,000	6,710,000	7,174,000	+464,000
Distance learning and telemedicine program:						

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Distance learning and telemedicine program:						
(Loan authorization)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	.....
Direct loan subsidy	30,000	180,000	180,000	180,000	180,000	+150,000
Grants	12,500,000	15,000,000	10,000,000	12,500,000	12,500,000	.....
Total	12,530,000	15,180,000	10,180,000	12,680,000	12,680,000	+150,000
RUS expenses:						
Salaries and expenses	33,000,000	33,445,000	33,000,000	33,000,000	33,000,000	.....
(Transfer from RETLP)	(29,982,000)	(32,000,000)	(29,982,000)	(29,982,000)	(29,982,000)	.....
(Transfer from RTP)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	.....
Total, RUS expenses	(65,982,000)	(68,445,000)	(65,982,000)	(65,982,000)	(65,982,000)	.....
Total, Rural Utilities Service	118,407,000	123,040,000	124,119,000	125,556,000	126,155,000	+7,748,000
(By transfer)	(32,982,000)	(35,000,000)	(32,982,000)	(32,982,000)	(32,982,000)	.....
(Loan authorization)	(1,745,000,000)	(1,400,000,000)	(1,886,500,000)	(1,801,500,000)	(1,869,009,000)	(+124,009,000)
Total, title III, Rural Economic and Community Development Programs	2,087,222,000	2,220,118,000	2,173,781,000	2,174,804,000	2,175,234,000	+88,012,000
(By transfer)	(391,249,000)	(406,404,000)	(391,266,000)	(397,249,000)	(397,249,000)	(+6,000,000)
(Loan authorization)	(6,024,527,000)	(5,797,116,000)	(6,172,101,000)	(6,141,898,000)	(6,168,726,000)	(+144,199,000)
TITLE IV - DOMESTIC FOOD PROGRAMS						
Office of the Under Secretary for Food, Nutrition and Consumer Services	554,000	573,000	.....	554,000	554,000	.....
Food and Consumer Service:						
Child nutrition programs	2,612,675,000	3,887,703,000	4,166,747,000	4,171,747,000	4,128,747,000	+1,516,072,000
Discretionary spending	3,750,000	10,000,000	3,750,000	.....	.....	-3,750,000
Transfer from section 32	5,151,391,000	5,332,194,000	5,048,150,000	5,048,150,000	5,048,150,000	-103,241,000
Total, Child nutrition programs	7,767,816,000	9,229,897,000	9,218,647,000	9,219,897,000	9,176,897,000	+1,409,081,000
Special supplemental nutrition program for women, infants, and children (WIC)	3,924,000,000	4,081,000,000	3,924,000,000	3,948,000,000	3,924,000,000	.....
Reserve	.....	(20,000,000)	.....	.....	.....	.....
Food stamp program:						
Expenses	23,736,479,000	22,365,806,000	21,165,806,000	22,365,806,000	21,159,106,000	-2,577,373,000
Reserve	100,000,000	1,000,000,000	100,000,000	100,000,000	100,000,000	.....
Nutrition assistance for Puerto Rico	1,204,000,000	1,236,000,000	1,236,000,000	1,236,000,000	1,236,000,000	+32,000,000
The emergency food assistance program	100,000,000	100,000,000	90,000,000	80,000,000	90,000,000	-10,000,000
Total, Food stamp program	25,140,479,000	24,701,806,000	22,591,806,000	23,781,806,000	22,585,106,000	-2,555,373,000
Commodity assistance program	141,000,000	317,081,000	141,000,000	141,000,000	131,000,000	-10,000,000
Food donations programs for selected groups:						
Needy family program	1,165,000	.....	1,081,000	1,081,000	1,081,000	-84,000
Elderly feeding program	140,000,000	.....	140,000,000	140,000,000	140,000,000	.....
Total, Food donations programs 4/	141,165,000	.....	141,081,000	141,081,000	141,081,000	-84,000
Food program administration	107,505,000	111,848,000	108,311,000	109,069,000	108,561,000	+1,056,000
Total, Food and Consumer Service	37,221,965,000	38,441,632,000	36,124,845,000	37,340,853,000	36,066,645,000	-1,155,320,000
Total, title IV, Domestic Food Programs	37,222,519,000	38,442,205,000	36,124,845,000	37,341,407,000	36,067,199,000	-1,155,320,000
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS						
Foreign Agricultural Service and General Sales Manager:						
Direct appropriation	131,295,000	141,087,000	131,295,000	131,795,000	136,203,000	+4,908,000
(Transfer from export loans)	(3,231,000)	(3,413,000)	(3,231,000)	(3,231,000)	(3,231,000)	.....
(Transfer from P.L. 480)	(1,035,000)	(1,093,000)	(1,035,000)	(1,035,000)	(1,035,000)	.....
Total, Program level	(135,561,000)	(145,593,000)	(135,561,000)	(136,061,000)	(140,469,000)	(+4,908,000)
Public Law 480 Program and Grant Accounts:						
Title I - Credit sales:						
Program level	(244,508,000)	(111,558,000)	(197,514,000)	(221,083,000)	(219,724,000)	(-24,784,000)
Direct loans	(226,900,000)	(102,163,000)	(182,624,000)	(203,475,000)	(203,475,000)	(-23,425,000)
Ocean freight differential	17,608,000	9,395,000	14,890,000	17,608,000	16,249,000	-1,359,000
Title II - Commodities for disposition abroad:						
Program level	(837,000,000)	(837,000,000)	(837,000,000)	(837,000,000)	(837,000,000)	.....
Appropriation	837,000,000	837,000,000	837,000,000	837,000,000	837,000,000	.....
Title III - Commodity grants:						
Program level	(30,000,000)	(30,000,000)	(25,000,000)	(30,000,000)	(25,000,000)	(-5,000,000)
Appropriation	30,000,000	30,000,000	25,000,000	30,000,000	25,000,000	-5,000,000
Loan subsidies	176,596,000	88,667,000	158,499,000	176,596,000	176,596,000	.....

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Salaries and expenses:						
General Sales Manager (transfer to FAS)	1,035,000	1,093,000	1,035,000	1,035,000	1,035,000	.....
Farm Service Agency (transfer to FSA)	815,000	845,000	815,000	815,000	815,000	.....
Subtotal	1,850,000	1,938,000	1,850,000	1,850,000	1,850,000	.....
Total, Public Law 480:						
Program level	(1,111,508,000)	(978,558,000)	(1,059,514,000)	(1,088,083,000)	(1,081,724,000)	(-29,784,000)
Appropriation	1,063,054,000	967,000,000	1,037,239,000	1,063,054,000	1,056,695,000	-6,359,000
CCC Export Loans Program Account:						
Export credit: Loan subsidy	407,630,000	253,000,000	252,500,000	.....	.....	-407,630,000
(Loan authorization)	(5,500,000,000)	(4,615,000,000)	(4,615,000,000)	.....	.....	(-5,500,000,000)
Emerging markets export credit	(200,000,000)	.....	.....	.....	.....	(-200,000,000)
Salaries and expenses (Export Loans):						
General Sales Manager (transfer to FAS)	3,231,000	3,413,000	3,231,000	3,231,000	3,231,000	.....
Farm Service Agency (transfer to FSA)	589,000	672,000	589,000	589,000	589,000	.....
Total, CCC Export Loans Program Account	411,450,000	257,085,000	256,320,000	3,820,000	3,820,000	-407,630,000
Total, title V, Foreign Assistance and Related Programs	1,605,799,000	1,365,172,000	1,424,854,000	1,198,669,000	1,196,718,000	-409,081,000
(By transfer)	(4,266,000)	(4,506,000)	(4,266,000)	(4,266,000)	(4,266,000)	.....
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION						
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Food and Drug Administration						
Salaries and expenses, direct appropriation	857,501,000	878,884,000	871,499,000	940,367,000	970,867,000	+113,366,000
Prescription drug user fee act	(117,122,000)	(126,845,000)	(126,845,000)	(132,273,000)	(132,273,000)	(+15,151,000)
Mammography clinics user fee	(13,966,000)	(14,385,000)	(14,385,000)	(14,385,000)	(14,385,000)	(+419,000)
Subtotal, program level	(988,589,000)	(1,020,114,000)	(1,012,729,000)	(1,087,025,000)	(1,117,525,000)	(+128,936,000)
Buildings and facilities	21,350,000	8,350,000	11,350,000	12,350,000	11,350,000	-10,000,000
Rental payments (FDA)	46,294,000	82,866,000	82,866,000	.....	.....	-46,294,000
By transfer from PDUFA	.....	(5,428,000)	(5,428,000)	.....	.....	.....
Subtotal, program level	(46,294,000)	(88,294,000)	(88,294,000)	.....	.....	(-46,294,000)
Total, Food and Drug Administration	925,145,000	970,100,000	965,715,000	952,717,000	982,217,000	+57,072,000
DEPARTMENT OF THE TREASURY						
Financial Management Service: Payments to the Farm Credit System Financial Assistance Corporation	7,728,000	2,565,000	2,565,000	2,565,000	2,565,000	-5,163,000
INDEPENDENT AGENCIES						
Commodity Futures Trading Commission	58,101,000	63,360,000	62,140,000	61,000,000	61,000,000	+2,899,000
Farm Credit Administration (limitation on administrative expenses)	(34,423,000)	(35,800,000)	(35,800,000)	.....	(35,800,000)	(+1,377,000)
Total, title VI, Related Agencies and Food and Drug Administration	990,974,000	1,036,025,000	1,030,420,000	1,016,282,000	1,045,782,000	+54,808,000
TITLE VII - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Farm Service Agency						
Emergency conservation program	34,000,000	.....	.....	.....	.....	-34,000,000
Tree assistance program	14,000,000	.....	.....	.....	.....	-14,000,000
Agricultural Credit Insurance Fund Program Account:						
Emergency insured loans:						
Loan subsidy	21,000,000	.....	.....	.....	.....	-21,000,000
(Loan authorization)	(87,400,000)	.....	.....	.....	.....	(-87,400,000)
Total, Farm Service Agency	69,000,000	.....	.....	.....	.....	-69,000,000
Commodity Credit Corporation						
Livestock disaster assistance fund	4,000,000	.....	.....	.....	.....	-4,000,000
Dairy production indemnity assistance program	6,800,000	.....	.....	.....	.....	-6,800,000
Total, Commodity Credit Corporation	10,800,000	.....	.....	.....	.....	-10,800,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Natural Resources Conservation Service						
Watershed and flood prevention operations	80,000,000					-80,000,000
Total, title VII, Emergency appropriations	159,800,000					-159,800,000
TITLE XI - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Office of the Secretary (cotton warehouse) (contingent emergency appropriations)					5,000,000	+5,000,000
Pilot livestock price reporting study (contingent emergency appropriations)					250,000	+250,000
Federal Crop Insurance Corporation						
Federal crop insurance corporation fund (emergency appropriations)		1,545,000,000				
Purchase requirement (contingent emergency appropriations)					66,000,000	+66,000,000
Raisins (contingent emergency appropriations)					3,000,000	+3,000,000
Commodity Credit Corporation						
Natural disasters (contingent emergency appropriations)					1,500,000,000	+1,500,000,000
Multi-year losses (contingent emergency appropriations)					875,000,000	+875,000,000
Livestock disaster assistance fund (emergency appropriations)		85,000,000				
Contingent emergency appropriations					200,000,000	+200,000,000
Multi-year flooding (emergency appropriations)		50,000,000				
Market loss (contingent emergency appropriations)					3,057,000,000	+3,057,000,000
Economic loss (Alaska) (contingent emergency appropriations)					50,000,000	+50,000,000
Honey (contingent emergency appropriations)					1,000,000	+1,000,000
Mohair fiber (contingent emergency appropriations)					27,000,000	+27,000,000
Total, Commodity Credit Corporation		135,000,000			5,779,000,000	+5,779,000,000
Foreign Agricultural Service and General Sales Manager						
Food for progress (contingent emergency appropriations)					25,000,000	+25,000,000
Total, title XI, emergency appropriations		1,680,000,000			5,809,250,000	+5,809,250,000
Emergency appropriations		(1,680,000,000)				
Contingent emergency appropriations					(5,809,250,000)	(+5,809,250,000)
TITLE XIII - EMERGENCY APPROPRIATIONS						
DEPARTMENT OF AGRICULTURE						
Farm Service Agency						
Salaries and expenses (emergency appropriations)		40,000,000			40,000,000	+40,000,000
Agricultural Credit Insurance Fund Program Account:						
Loan authorizations:						
Farm operating loans:						
Direct					(133,806,000)	(+133,806,000)
Guaranteed unsubsidized					(150,000,000)	(+150,000,000)
Guaranteed subsidized					(156,704,000)	(+156,704,000)
Total, Loan authorizations					(440,510,000)	(+440,510,000)
Loan subsidies:						
Farm operating loans (emergency appropriations):						
Direct		15,969,000			15,969,000	+15,969,000
Guaranteed unsubsidized		1,740,000			1,740,000	+1,740,000
Guaranteed subsidized		13,696,000			13,696,000	+13,696,000
Total, Agricultural Credit Insurance Fund		31,405,000			31,405,000	+31,405,000
(Loan authorization)					(440,510,000)	(+440,510,000)
Total, Farm Service Agency		71,405,000			71,405,000	+71,405,000
Commodity Credit Corporation						
Dairy production disaster assistance program (contingent emergency appropriations)					3,000,000	+3,000,000
Natural Resources Conservation Service						
Forestry incentives program (contingent emergency appropriations)					10,000,000	+10,000,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Forest Service						
State and private forestry (emergency appropriations)	.....	10,000,000	.....	.....	.....	.....
Total, title XIII, emergency appropriations	.....	81,405,000	.....	.....	84,405,000	+84,405,000
Emergency appropriations	.....	(81,405,000)	.....	.....	(71,405,000)	(+71,405,000)
Contingent emergency appropriations	.....	.....	.....	.....	(13,000,000)	(+13,000,000)
Scorekeeping adjustments	-243,408,000	-1,505,188,000	3,717,000	354,217,000	-5,669,438,000	-5,426,030,000
Grand total:						
New budget (obligational) authority	49,550,155,000	58,062,356,000	55,886,859,000	57,174,585,000	55,938,052,000	+6,387,897,000
Appropriations	(49,390,355,000)	(56,300,951,000)	(55,886,859,000)	(57,174,585,000)	(50,044,397,000)	(+654,042,000)
Emergency appropriations	.....	(1,761,405,000)	.....	.....	(71,405,000)	(+71,405,000)
Contingent emergency appropriations	(159,800,000)	.....	.....	.....	(5,822,250,000)	(+5,662,450,000)
(By transfer)	(606,780,000)	(640,100,000)	(606,797,000)	(612,780,000)	(612,780,000)	(+6,000,000)
(Loan authorization)	(14,012,620,000)	(13,403,150,000)	(13,414,132,000)	(8,506,925,000)	(8,894,194,000)	(-5,118,426,000)
(Limitation on administrative expenses)	(142,036,000)	(144,087,000)	(144,087,000)	(107,078,000)	(144,087,000)	(+2,051,000)

1/ In addition to appropriation.
2/ Budget proposes to fund this account under Conservation Operations.
3/ Budget proposes to fund technical assistance for WFPO under Conservation Operations.
4/ Budget proposes to include funding for these programs under the Commodity Assistance Program in FY 1998.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF JUSTICE						
General Administration						
Salaries and expenses	76,199,000	89,488,000	79,488,000	76,199,000	79,448,000	+3,249,000
Joint automated booking system	.....	.....	.....	10,000,000	.....	.....
Narrowband communications (crime trust fund)	.....	85,894,000	.....	.....	.....	.....
Counterterrorism fund	52,700,000	61,703,000	89,200,000	19,999,000	10,000,000	-42,700,000
1st Responder grants	.....	.....	.....	174,000,000	135,000,000	+135,000,000
Telecommunications carrier compliance fund	.....	50,000,000	.....	.....	.....	.....
Defense function	.....	50,000,000	.....	.....	.....	.....
Administrative review and appeals:						
Direct appropriation	70,007,000	79,685,000	75,312,000	41,858,000	75,312,000	+5,305,000
Crime trust fund	59,251,000	65,178,000	59,251,000	.....	59,251,000	.....
Total, Administrative review and appeals	129,258,000	144,863,000	134,563,000	41,858,000	134,563,000	+5,305,000
Office of Inspector General	33,211,000	34,610,000	36,610,000	33,211,000	35,610,000	+2,399,000
Total, General administration	291,368,000	516,558,000	339,861,000	355,267,000	394,621,000	+103,253,000
Appropriations	(232,117,000)	(365,486,000)	(280,610,000)	(355,267,000)	(335,370,000)	(+103,253,000)
Crime trust fund	(59,251,000)	(151,072,000)	(59,251,000)	.....	(59,251,000)	.....
United States Parole Commission						
Salaries and expenses	5,009,000	7,621,000	7,400,000	7,969,000	7,400,000	+2,391,000
Legal Activities						
General legal activities:						
Direct appropriation	444,200,000	477,328,000	462,265,000	485,511,000	466,840,000	+22,640,000
Crime trust fund	7,969,000	8,183,000	8,160,000	.....	8,160,000	+191,000
Total, General legal activities	452,169,000	485,511,000	470,425,000	485,511,000	475,000,000	+22,831,000
Vaccine injury compensation trust fund (permanent)	4,028,000	4,028,000	4,028,000	4,028,000	4,028,000	.....
Independent counsel (permanent, indefinite)	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	.....
Antitrust Division	93,495,000	97,588,000	98,275,000	98,275,000	98,275,000	+4,780,000
Offsetting fee collections - carryover	-18,000,000	-11,000,000	-30,000,000	-11,687,000	-30,000,000	-12,000,000
Offsetting fee collections - current year	-70,000,000	.....	-68,275,000	-86,588,000	-68,275,000	+1,725,000
Direct appropriation	5,495,000	86,588,000	.....	.....	.....	-5,495,000
United States Attorneys:						
Direct appropriation	972,460,000	1,052,993,000	1,039,147,000	1,083,642,000	1,009,680,000	+37,220,000
Crime trust fund	62,828,000	54,000,000	51,231,000	.....	80,698,000	+17,870,000
Total, United States Attorneys	1,035,288,000	1,106,993,000	1,090,378,000	1,083,642,000	1,090,378,000	+55,090,000
United States trustee system fund	114,248,000	130,437,000	114,248,000	108,248,000	114,248,000	.....
Offsetting fee collections	-114,248,000	.....	-114,248,000	-100,000,000	-114,248,000	.....
Direct appropriation	.....	130,437,000	.....	8,248,000	.....	.....
Foreign Claims Settlement Commission	1,226,000	1,335,000	1,335,000	1,227,000	1,227,000	+1,000
United States Marshals Service:						
Direct appropriation	467,833,000	486,436,000	477,611,000	501,752,000	477,056,000	+9,223,000
Crime trust fund	25,553,000	26,407,000	25,553,000	.....	25,553,000	.....
Construction 1/	.....	6,300,000	.....	4,000,000	4,600,000	+4,600,000
Justice prisoner and alien transportation system fund	.....	10,000,000	.....	10,000,000	.....	.....
Total, United States Marshals Service	493,386,000	529,143,000	503,164,000	515,752,000	507,209,000	+13,823,000
Federal Prisoner Detention	405,262,000	450,848,000	425,000,000	407,018,000	425,000,000	+19,738,000
Fees and expenses of witnesses	75,000,000	95,000,000	95,000,000	95,000,000	95,000,000	+20,000,000
Community Relations Service	5,319,000	8,899,000	7,199,000	5,319,000	7,199,000	+1,880,000
Assets forfeiture fund	23,000,000	23,000,000	23,000,000	23,000,000	23,000,000	.....
Total, Legal activities	2,509,673,000	2,931,282,000	2,629,029,000	2,638,245,000	2,637,541,000	+127,868,000
Appropriations	(2,413,323,000)	(2,842,692,000)	(2,544,085,000)	(2,638,245,000)	(2,523,130,000)	(+109,807,000)
Crime trust fund	(96,350,000)	(88,590,000)	(84,944,000)	.....	(114,411,000)	(+18,061,000)
Radiation Exposure Compensation						
Administrative expenses	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	.....
Payment to radiation exposure compensation trust fund	4,381,000	11,717,000	.....	.....	.....	-4,381,000
Total, Radiation Exposure Compensation	6,381,000	13,717,000	2,000,000	2,000,000	2,000,000	-4,381,000
Interagency Law Enforcement						
Interagency crime and drug enforcement	294,967,000	304,014,000	304,014,000	294,967,000	304,014,000	+9,047,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Bureau of Investigation						
Salaries and expenses	2,445,471,000	2,584,885,000	2,420,342,000	2,240,777,000	2,406,532,000	-38,939,000
Counterintelligence and national security	221,050,000	170,283,000	282,473,000	233,473,000	292,473,000	+71,423,000
FBI Fingerprint identification	84,400,000	47,800,000	47,800,000	47,800,000	47,800,000	-36,600,000
Subtotal	2,750,921,000	2,802,968,000	2,750,615,000	2,522,050,000	2,746,805,000	-4,116,000
Crime trust fund	179,121,000	215,356,000	215,356,000	433,124,000	223,356,000	+44,235,000
Construction	44,506,000	14,146,000	11,287,000	1,287,000	1,287,000	-43,219,000
Total, Federal Bureau of Investigation	2,974,548,000	3,032,470,000	2,977,258,000	2,956,461,000	2,971,448,000	-3,100,000
Appropriations	(2,795,427,000)	(2,817,114,000)	(2,761,902,000)	(2,523,337,000)	(2,748,092,000)	(-47,335,000)
Crime trust fund	(179,121,000)	(215,356,000)	(215,356,000)	(433,124,000)	(223,356,000)	(+44,235,000)
Drug Enforcement Administration						
Salaries and expenses	782,109,000	841,970,000	873,000,000	863,764,000	877,490,000	+95,381,000
Diversion control fund	-58,268,000	-76,710,000	-76,710,000	-61,710,000	-76,710,000	-18,442,000
Direct appropriation	723,841,000	765,260,000	796,290,000	802,054,000	800,780,000	+76,939,000
Crime trust fund	403,537,000	405,000,000	405,000,000	407,000,000	405,000,000	+1,463,000
Construction	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	.....
Total, Drug Enforcement Administration	1,135,378,000	1,178,260,000	1,209,290,000	1,217,054,000	1,213,780,000	+78,402,000
Appropriations	(731,841,000)	(773,260,000)	(804,290,000)	(810,054,000)	(808,780,000)	(+76,939,000)
Crime trust fund	(403,537,000)	(405,000,000)	(405,000,000)	(407,000,000)	(405,000,000)	(+1,463,000)
Immigration and Naturalization Service						
Salaries and expenses	1,657,886,000	1,867,353,000	1,619,514,000	1,189,317,000	1,621,837,000	-36,049,000
Enforcement and border affairs	.....	.....	(1,096,431,000)	.....	(1,069,754,000)	(+1,069,754,000)
Citizenship and benefits, immigration support and program direction	.....	.....	(523,083,000)	.....	(552,083,000)	(+552,083,000)
Crime trust fund	608,206,000	738,000,000	866,490,000	1,099,667,000	842,490,000	+234,284,000
Subtotal, Direct and crime trust fund	2,266,092,000	2,605,353,000	2,486,004,000	2,268,984,000	2,464,327,000	+198,235,000
Fee accounts:						
Immigration legalization fund	(1,259,000)	(998,000)	(998,000)	(998,000)	.....	(-1,259,000)
Immigration user fee	(426,622,000)	(486,071,000)	(486,071,000)	(444,290,000)	(486,071,000)	(+59,449,000)
Land border inspection fund	(3,043,000)	(3,275,000)	(3,275,000)	(3,275,000)	(3,275,000)	(+232,000)
Immigration examinations fund	(785,342,000)	(826,402,000)	(906,000,000)	(905,700,000)	(635,700,000)	(-149,642,000)
Breached bond fund	(235,272,000)	(144,870,000)	(169,870,000)	(201,995,000)	(176,950,000)	(-58,322,000)
Immigration enforcement fines	(3,800,000)	(3,800,000)	(3,800,000)	(4,050,000)	(4,050,000)	(+250,000)
Subtotal, Fee accounts	(1,455,338,000)	(1,465,416,000)	(1,570,014,000)	(1,560,308,000)	(1,306,046,000)	(-149,292,000)
Construction	75,959,000	118,170,000	81,570,000	110,251,000	90,000,000	+14,041,000
Asylees in Guam, Loss of offsetting receipts (3301)	.....	.....	.....	1,000,000	.....	.....
Total, Immigration and Naturalization Service	(3,797,389,000)	(4,188,939,000)	(4,137,588,000)	(3,940,543,000)	(3,860,373,000)	(+62,984,000)
Appropriations	(1,733,845,000)	(1,985,523,000)	(1,701,084,000)	(1,280,568,000)	(1,711,837,000)	(-22,008,000)
Crime trust fund	(608,206,000)	(738,000,000)	(866,490,000)	(1,099,667,000)	(842,490,000)	(+234,284,000)
(Fee accounts)	(1,455,338,000)	(1,465,416,000)	(1,570,014,000)	(1,560,308,000)	(1,306,046,000)	(-149,292,000)
Federal Prison System						
Salaries and expenses	2,911,642,000	3,006,494,000	2,952,354,000	2,999,956,000	2,952,354,000	+40,712,000
Prior year carryover	-90,000,000	-90,000,000	-90,000,000	-90,000,000	-90,000,000	.....
Direct appropriation	2,821,642,000	2,916,494,000	2,862,354,000	2,909,956,000	2,862,354,000	+40,712,000
Crime trust fund	26,135,000	26,559,000	26,499,000	9,559,000	26,499,000	+364,000
Subtotal, Salaries and expenses	2,847,777,000	2,943,053,000	2,888,853,000	2,919,515,000	2,888,853,000	+41,076,000
Buildings and facilities	255,133,000	413,997,000	413,997,000	379,197,000	410,997,000	+155,864,000
Transfer from D.C. bill (P.L. 105-100)	302,000,000	.....	.....	.....	.....	-302,000,000
Subtotal, Buildings and facilities	557,133,000	413,997,000	413,997,000	379,197,000	410,997,000	-146,136,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	.....
Total, Federal Prison System	3,404,910,000	3,357,050,000	3,302,850,000	3,298,712,000	3,299,850,000	-105,060,000
Office of Justice Programs						
Justice assistance	173,600,000	307,711,000	195,000,000	170,151,000	147,151,000	-26,449,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
State and local law enforcement assistance:						
Direct appropriations:						
Byrne grants (discretionary)	46,500,000	.....	47,750,000	47,000,000	47,000,000	+500,000
Byrne grants (formula)	462,500,000	.....	505,000,000	505,000,000	505,000,000	+42,500,000
Subtotal, Direct appropriations	509,000,000	.....	552,750,000	552,000,000	552,000,000	+43,000,000
Crime trust fund:						
Byrne grants (discretionary)	.....	47,750,000	.....	.....	.....	.....
Byrne grants (formula)	42,500,000	505,000,000	.....	.....	.....	-42,500,000
Local law enforcement block grant	523,000,000	.....	523,000,000	500,000,000	523,000,000	.....
Boys and Girls clubs (earmark)	(20,000,000)	.....	(20,000,000)	(40,000,000)	(40,000,000)	(+20,000,000)
Juvenile crime block grant	250,000,000	.....	250,000,000	100,000,000	250,000,000	.....
Youth violence courts	.....	50,000,000	.....	.....	.....	.....
Juvenile prosecutor program	.....	100,000,000	.....	.....	.....	.....
Community prosecutors program	.....	50,000,000	.....	.....	.....	.....
Drug intervention treatment program	.....	85,000,000	.....	.....	.....	.....
Indian tribal courts program	.....	10,000,000	.....	10,000,000	5,000,000	+5,000,000
Juvenile drug prevention program 2/	.....	5,000,000	.....	.....	.....	.....
Drug courts	30,000,000	30,000,000	43,000,000	40,000,000	40,000,000	+10,000,000
Upgrade criminal history records	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	.....
State prison grants	720,500,000	711,000,000	730,500,000	711,000,000	720,500,000	.....
State criminal alien assistance program	420,000,000	350,000,000	420,000,000	350,000,000	420,000,000	.....
Violence Against Women grants	270,750,000	270,750,000	279,750,000	282,750,000	282,750,000	+12,000,000
State prison drug treatment	63,000,000	72,000,000	63,000,000	63,000,000	63,000,000	.....
DNA identification grants	12,500,000	15,000,000	15,000,000	15,000,000	15,000,000	+2,500,000
Counterterrorism technologies 3/	.....	10,000,000	.....	.....	.....	.....
Grants to firefighters 3/	.....	5,000,000	.....	.....	.....	.....
Other crime control programs	5,150,000	7,900,000	5,150,000	7,900,000	5,700,000	+550,000
Subtotal, Crime trust fund	2,382,400,000	2,369,400,000	2,374,400,000	2,124,850,000	2,369,950,000	-12,450,000
Total, State and local law enforcement	2,891,400,000	2,369,400,000	2,927,150,000	2,676,850,000	2,921,950,000	+30,550,000
Weed and seed program fund	33,500,000	.....	33,500,000	40,000,000	33,500,000	.....
Crime trust fund	.....	40,000,000	.....	.....	.....	.....
Community oriented policing services (crime trust fund)	1,400,000,000	1,400,000,000	1,400,000,000	1,400,000,000	1,400,000,000	.....
Police corps (crime trust fund)	30,000,000	20,000,000	20,000,000	40,000,000	30,000,000	.....
Total, Community oriented policing services	1,430,000,000	1,420,000,000	1,420,000,000	1,440,000,000	1,430,000,000	.....
Juvenile justice programs	238,672,000	277,950,000	282,950,000	284,597,000	284,597,000	+45,925,000
Public safety officers benefits program:						
Death benefits	31,003,000	32,059,000	32,059,000	31,809,000	31,809,000	+806,000
Federal law enforcement dependents assistance	2,000,000	250,000	250,000	.....	.....	-2,000,000
Total, Public safety officers benefits program	33,003,000	32,309,000	32,309,000	31,809,000	31,809,000	-1,194,000
Total, Office of Justice Programs	4,800,175,000	4,447,370,000	4,890,909,000	4,643,207,000	4,849,007,000	+48,832,000
Appropriations	(987,775,000)	(617,970,000)	(1,096,509,000)	(1,078,557,000)	(1,049,057,000)	(+61,282,000)
Crime trust fund	(3,812,400,000)	(3,829,400,000)	(3,794,400,000)	(3,564,850,000)	(3,799,950,000)	(-12,450,000)
General Provisions						
Trustee system fund interest	.....	.....	.....	6,000,000	.....	.....
Year 2000 compliance (sec. 126)	.....	.....	.....	.....	-20,038,000	-20,038,000
Total, title I, Department of Justice	17,764,460,000	18,511,865,000	18,230,185,000	17,800,117,000	18,213,950,000	+449,490,000
Appropriations	(12,579,460,000)	(13,057,888,000)	(12,778,245,000)	(12,286,117,000)	(12,742,993,000)	(+163,533,000)
Crime trust fund	(5,185,000,000)	(5,453,977,000)	(5,451,940,000)	(5,514,000,000)	(5,470,957,000)	(+285,957,000)
(Limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	.....
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES						
TRADE AND INFRASTRUCTURE DEVELOPMENT						
Office of the United States Trade Representative						
Salaries and expenses	23,450,000	24,836,000	24,000,000	24,836,000	24,200,000	+750,000
International Trade Commission						
Salaries and expenses	41,200,000	45,500,000	44,200,000	45,500,000	44,495,000	+3,295,000
Total, Related agencies	64,650,000	70,336,000	68,200,000	70,336,000	68,695,000	+4,045,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
DEPARTMENT OF COMMERCE						
International Trade Administration						
Operations and administration	283,066,000	292,452,000	283,123,000	309,314,000	286,264,000	+3,198,000
Offsetting fee collections	.....	-6,000,000	-1,600,000	-6,000,000	-1,600,000	-1,600,000
Direct appropriation	283,066,000	286,452,000	281,523,000	303,314,000	284,664,000	+1,598,000
Export Administration						
Operations and administration	42,000,000	48,356,000	43,900,000	43,619,000	50,454,000	+8,454,000
CWC enforcement	1,900,000	3,877,000	3,877,000	1,877,000	1,877,000	-23,000
Total, Export Administration	43,900,000	52,233,000	47,777,000	45,496,000	52,331,000	+8,431,000
Economic Development Administration						
Economic development assistance programs	340,000,000	368,379,000	368,379,000	279,934,000	368,379,000	+28,379,000
Salaries and expenses	21,028,000	29,590,000	25,000,000	21,761,000	24,000,000	+2,972,000
Total, Economic Development Administration	361,028,000	397,969,000	393,379,000	301,695,000	392,379,000	+31,351,000
Minority Business Development Agency						
Minority business development	25,000,000	28,087,000	25,276,000	25,196,000	27,000,000	+2,000,000
Total, Trade and Infrastructure Development	777,644,000	835,077,000	816,155,000	746,037,000	825,069,000	+47,425,000
ECONOMIC AND INFORMATION INFRASTRUCTURE						
Economic and Statistical Analysis						
Salaries and expenses	47,499,000	53,701,000	48,000,000	48,981,000	48,490,000	+991,000
Bureau of the Census						
Salaries and expenses	137,278,000	160,102,000	140,147,000	141,259,000	136,147,000	-1,131,000
Periodic censuses and programs	555,813,000	1,027,784,000	1,111,887,000	998,626,000	1,186,902,000	+631,089,000
Total, Bureau of the Census	693,091,000	1,187,886,000	1,252,034,000	1,139,885,000	1,323,049,000	+629,958,000
National Telecommunications and Information Administration						
Salaries and expenses	16,550,000	10,940,000	10,940,000	10,898,000	10,940,000	-5,610,000
Public telecommunications facilities, planning and construction	21,000,000	15,000,000	21,000,000	20,889,000	21,000,000	.....
Information infrastructure grants	20,000,000	22,000,000	16,000,000	19,989,000	18,000,000	-2,000,000
Total, National Telecommunications and Information Administration	57,550,000	47,940,000	47,940,000	51,776,000	49,940,000	-7,610,000
Patent and Trademark Office						
Salaries and expenses	27,000,000	.....	.....	782,523,000	.....	-27,000,000
(Fees collected - current year)	(664,000,000)	.....	.....	.....	.....	(-664,000,000)
Current year fee funding	.....	653,526,000	653,526,000	.....	643,026,000	+643,026,000
Prior year fee funding	.....	65,868,000	71,000,000	.....	71,000,000	+71,000,000
(Prior year carryover)	(25,000,000)	.....	.....	.....	(40,500,000)	(+15,500,000)
Rescission	.....	-116,342,000	-41,000,000	.....	-71,000,000	-71,000,000
Subtotal	(716,000,000)	(603,052,000)	(683,526,000)	(782,523,000)	(683,526,000)	(-32,474,000)
Legislative proposal fees	.....	182,000,000	102,000,000	.....	102,000,000	+102,000,000
Total, Patent and Trademark Office	(716,000,000)	(785,052,000)	(785,526,000)	(782,523,000)	(785,526,000)	(+69,526,000)
Offsetting fee collections	.....	-653,526,000	-653,526,000	-785,526,000	-643,026,000	-643,026,000
Offsetting fee collections - legis. proposal	.....	-182,000,000	-102,000,000	.....	-102,000,000	-102,000,000
Total, PTO offsetting fee collections	.....	-835,526,000	-755,526,000	-785,526,000	-745,026,000	-745,026,000
Total, Economic and Information Infrastructure	825,140,000	1,239,053,000	1,377,974,000	1,237,639,000	1,421,479,000	+596,339,000
SCIENCE AND TECHNOLOGY						
Technology Administration						
Under Secretary for Technology/ Office of Technology Policy						
Salaries and expenses	8,500,000	9,993,000	9,000,000	9,955,000	9,495,000	+995,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
National Institute of Standards and Technology						
Scientific and technical research and services	276,852,000	291,636,000	280,470,000	290,482,000	280,136,000	+3,284,000
Industrial technology services	306,000,000	366,691,000	287,000,000	299,142,000	310,300,000	+4,300,000
Construction of research facilities	95,000,000	56,714,000	56,714,000	56,684,000	56,714,000	-38,286,000
Advance appropriations, FY 2000 - 2002		115,000,000				
Total, National Institute of Standards and Technology	677,852,000	830,041,000	624,184,000	646,308,000	647,150,000	-30,702,000
Appropriations	(677,852,000)	(715,041,000)	(624,184,000)	(646,308,000)	(647,150,000)	(-30,702,000)
Advance appropriations		(115,000,000)				
National Oceanic and Atmospheric Administration						
Operations, research, and facilities	1,512,050,000	1,508,762,000	1,470,042,000	1,611,027,000	1,579,844,000	+67,794,000
New offsetting collections - fisheries fees		-19,781,000				
New offsetting collections - navigation fees		-2,500,000				
Offsetting collections - fees	-3,000,000					+3,000,000
Limited access system administrative fund		-3,000,000		-3,000,000		
IFQ/CDQ offsetting receipts		4,000,000		4,000,000		
Direct appropriation	1,509,050,000	1,487,481,000	1,470,042,000	1,612,027,000	1,579,844,000	+70,794,000
(By transfer from Promote and Develop Fund)	(62,381,000)	(62,381,000)	(63,381,000)	(63,073,000)	(63,381,000)	(+1,000,000)
(By transfer from Damage assessment and restoration revolving fund, permanent)	5,000,000	5,000,000	5,000,000	4,713,000	5,000,000	
(Damage assessment and restoration revolving fund)	-5,000,000	-5,000,000	-5,000,000	-4,713,000	-5,000,000	
Total, Operations, research and facilities	1,509,050,000	1,487,481,000	1,470,042,000	1,612,027,000	1,579,844,000	+70,794,000
Procurement, acquisition and construction	491,609,000	621,595,000	538,439,000	587,611,000	584,677,000	+93,068,000
Advance appropriations, FY 2000 - 2011		2,797,815,000				
Coastal zone management fund	7,800,000	4,000,000	7,800,000	4,000,000	4,000,000	-3,800,000
Mandatory offset	-7,800,000	-4,000,000	-7,800,000	-4,000,000	-4,000,000	+3,800,000
Fishermen's contingency fund	953,000	953,000	953,000	952,000	953,000	
Foreign fishing observer fund	189,000	189,000	189,000	189,000	189,000	
Fisheries finance program account	338,000	238,000	238,000	388,000	338,000	
Total, National Oceanic and Atmospheric Administration	2,002,139,000	4,908,271,000	2,009,861,000	2,201,167,000	2,166,001,000	+163,862,000
Appropriations	(2,002,139,000)	(2,110,456,000)	(2,009,861,000)	(2,201,167,000)	(2,166,001,000)	(+163,862,000)
Advance appropriations		(2,797,815,000)				
Total, Science and Technology	2,688,491,000	5,748,305,000	2,643,045,000	2,857,430,000	2,822,646,000	+134,155,000
General Administration						
Salaries and expenses	27,490,000	32,187,000	28,900,000	31,059,000	30,000,000	+2,510,000
Office of Inspector General	20,140,000	21,662,000	21,400,000	19,959,000	21,000,000	+860,000
Total, General administration	47,630,000	53,849,000	50,300,000	51,018,000	51,000,000	+3,370,000
National Oceanic and Atmospheric Administration						
Operations, research and facilities (rescission)	-20,500,000					+20,500,000
Procurement, acquisition and construction (rescission)			-5,000,000			
United States Travel and Tourism Administration						
Salaries and expenses (rescission)	-3,000,000					+3,000,000
Total, Department of Commerce	4,250,755,000	7,805,948,000	4,814,274,000	4,821,788,000	5,051,499,000	+800,744,000
Total, title II, Department of Commerce and related agencies	4,315,405,000	7,876,284,000	4,882,474,000	4,892,124,000	5,120,194,000	+804,789,000
Appropriations	(4,338,905,000)	(5,079,811,000)	(4,928,474,000)	(4,892,124,000)	(5,191,194,000)	(+852,289,000)
Rescissions	(-23,500,000)	(-116,342,000)	(-46,000,000)		(-71,000,000)	(-47,500,000)
Advance appropriations		(2,912,815,000)				
(By transfer)	(62,381,000)	(62,381,000)	(63,381,000)	(63,073,000)	(63,381,000)	(+1,000,000)
TITLE III - THE JUDICIARY						
Supreme Court of the United States						
Salaries and expenses:						
Salaries of justices	1,654,000	1,690,000	1,690,000	1,654,000	1,690,000	+36,000
Other salaries and expenses	27,591,000	29,405,000	29,405,000	29,405,000	29,369,000	+1,778,000
Total, Salaries and expenses	29,245,000	31,095,000	31,095,000	31,059,000	31,059,000	+1,814,000
Care of the building and grounds	3,400,000	5,871,000	5,400,000	5,871,000	5,400,000	+2,000,000
Total, Supreme Court of the United States	32,645,000	36,966,000	36,495,000	36,930,000	36,459,000	+3,814,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
United States Court of Appeals for the Federal Circuit						
Salaries and expenses:						
Salaries of judges	1,887,000	1,943,000	1,943,000	1,901,000	1,943,000	+56,000
Other salaries and expenses	13,688,000	14,885,000	14,200,000	13,730,000	14,158,000	+470,000
Total, Salaries and expenses	15,575,000	16,828,000	16,143,000	15,631,000	16,101,000	+526,000
United States Court of International Trade						
Salaries and expenses:						
Salaries of judges	1,483,000	1,506,000	1,506,000	1,488,000	1,506,000	+23,000
Other salaries and expenses	9,966,000	10,316,000	10,316,000	9,995,000	10,298,000	+332,000
Total, Salaries and expenses	11,449,000	11,822,000	11,822,000	11,483,000	11,804,000	+355,000
Courts of Appeals, District Courts, and Other Judicial Services						
Salaries and expenses:						
Salaries of judges and bankruptcy judges	227,674,000	238,329,000	238,329,000	231,532,000	238,329,000	+10,655,000
Other salaries and expenses	2,454,726,000	2,710,394,000	2,590,000,000	2,576,984,000	2,583,492,000	+128,766,000
Direct appropriation	2,682,400,000	2,948,723,000	2,828,329,000	2,808,516,000	2,821,821,000	+139,421,000
Crime trust fund	40,000,000	60,000,000	60,000,000	.....	41,043,000	+1,043,000
Total, Salaries and expenses	2,722,400,000	3,008,723,000	2,888,329,000	2,808,516,000	2,862,864,000	+140,464,000
Vaccine Injury Compensation Trust Fund	2,450,000	2,515,000	2,515,000	2,515,000	2,515,000	+65,000
Defender services	329,529,000	360,952,000	360,952,000	360,952,000	360,952,000	+31,423,000
Fees of jurors and commissioners	64,438,000	68,173,000	67,000,000	68,721,000	66,861,000	+2,423,000
Court security	167,214,000	179,055,000	174,100,000	176,873,000	174,569,000	+7,355,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	3,286,031,000	3,619,418,000	3,492,896,000	3,417,577,000	3,467,761,000	+181,730,000
Administrative Office of the United States Courts						
Salaries and expenses	52,000,000	56,156,000	54,500,000	54,682,000	54,500,000	+2,500,000
Federal Judicial Center						
Salaries and expenses	17,495,000	18,470,000	18,000,000	17,716,000	17,716,000	+221,000
Judicial Retirement Funds						
Payment to Judiciary Trust Funds	34,200,000	37,300,000	37,300,000	37,300,000	37,300,000	+3,100,000
United States Sentencing Commission						
Salaries and expenses	9,240,000	9,900,000	9,600,000	9,374,000	9,487,000	+247,000
General Provisions						
Judges' pay raise	5,000,000	.....	.....	6,893,000	.....	-5,000,000
Total, title III, the Judiciary	3,463,635,000	3,806,860,000	3,676,756,000	3,607,586,000	3,651,128,000	+187,493,000
Appropriations	(3,423,635,000)	(3,746,860,000)	(3,616,756,000)	(3,607,586,000)	(3,610,085,000)	(+186,450,000)
Crime trust fund	(40,000,000)	(60,000,000)	(60,000,000)	.....	(41,043,000)	(+1,043,000)
TITLE IV - DEPARTMENT OF STATE						
Administration of Foreign Affairs						
Diplomatic and consular programs	1,705,600,000	1,664,882,000	1,631,490,000	1,685,094,000	1,644,300,000	-61,300,000
(Transfer out)	.....	.....	.....	(-13,000,000)	.....	.....
Registration fees	700,000	700,000	700,000	700,000	.....	-700,000
Security	23,700,000	25,700,000	25,700,000	.....	.....	-23,700,000
Total, Diplomatic and consular programs	1,730,000,000	1,691,282,000	1,657,890,000	1,685,794,000	1,644,300,000	-85,700,000
Salaries and expenses	363,513,000	367,778,000	365,235,000	349,474,000	355,000,000	-8,513,000
Capital investment fund	86,000,000	118,340,000	80,000,000	118,340,000	80,000,000	-6,000,000
Office of Inspector General	27,495,000	28,717,000	28,000,000	27,495,000	27,495,000	.....
Representation allowances	4,200,000	4,300,000	4,200,000	6,500,000	4,350,000	+150,000
Protection of foreign missions and officials	7,900,000	8,100,000	8,100,000	7,900,000	8,100,000	+200,000
Security and maintenance of United States missions	404,000,000	640,800,000	396,000,000	550,832,000	403,561,000	-439,000
Emergencies in the diplomatic and consular service	5,500,000	5,500,000	5,500,000	3,500,000	5,500,000	.....
(By transfer)	.....	.....	(4,000,000)	(4,000,000)	(4,000,000)	(+4,000,000)
Commission on Holocaust Assets in U.S. (by transfer)	.....	.....	(2,000,000)	.....	(2,000,000)	(+2,000,000)
Repatriation Loans Program Account:						
Direct loans subsidy	593,000	593,000	593,000	543,000	593,000	.....
Administrative expenses	607,000	607,000	607,000	457,000	607,000	.....
(By transfer)	.....	.....	(1,000,000)	.....	(1,000,000)	(+1,000,000)
Total, Repatriation loans program account	1,200,000	1,200,000	1,200,000	1,000,000	1,200,000	.....

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Payment to the American Institute in Taiwan	14,000,000	16,426,000	15,000,000	14,490,000	14,750,000	+750,000
Payment to the Foreign Service Retirement and Disability Fund	129,935,000	132,500,000	132,500,000	132,500,000	132,500,000	+2,565,000
Total, Administration of Foreign Affairs	2,773,743,000	3,014,943,000	2,893,625,000	2,897,825,000	2,876,756,000	-96,987,000
International Organizations and Conferences						
Contributions to international organizations, current year assessment	901,515,000	930,773,000	914,000,000	877,718,000	922,000,000	+20,485,000
Prior year assessment	54,000,000			254,000,000		-54,000,000
Subtotal	955,515,000	930,773,000	914,000,000	1,131,718,000	922,000,000	-33,515,000
Contributions for international peacekeeping activities, current year	210,000,000	231,000,000	220,000,000	210,093,000	231,000,000	+21,000,000
Prior year assessment	46,000,000			221,000,000		-46,000,000
Subtotal	256,000,000	231,000,000	220,000,000	431,093,000	231,000,000	-25,000,000
Arrearage payments		475,000,000	475,000,000		475,000,000	+475,000,000
International conferences and contingencies		1,223,000				
(By transfer)			(15,000,000)	(1,223,000)	(16,223,000)	(+16,223,000)
Total, International Organizations and Conferences	1,211,515,000	1,637,996,000	1,609,000,000	1,562,811,000	1,628,000,000	+416,485,000
International Commissions						
International Boundary and Water Commission, United States and Mexico:						
Salaries and expenses	17,490,000	19,179,000	18,490,000	17,490,000	19,551,000	+2,061,000
Construction	6,463,000	7,125,000	7,000,000	6,463,000	5,939,000	-524,000
American sections, international commissions	5,490,000	5,867,000	5,490,000	5,490,000	5,733,000	+243,000
International fisheries commissions	14,549,000	14,549,000	14,490,000	14,549,000	14,549,000	
Total, International commissions	43,992,000	46,720,000	45,470,000	43,992,000	45,772,000	+1,780,000
Other						
Payment to the Asia Foundation	8,000,000	15,000,000	8,250,000		8,250,000	+250,000
Total, Department of State	4,037,250,000	4,714,659,000	4,356,345,000	4,504,628,000	4,358,778,000	+321,528,000
RELATED AGENCIES						
Arms Control and Disarmament Agency						
Arms control and disarmament activities	41,500,000	43,400,000	41,500,000	43,400,000	41,500,000	
United States Information Agency						
International information programs	427,097,000	461,728,000	457,146,000	427,097,000	455,246,000	+28,149,000
(By transfer)					(2,000,000)	(+2,000,000)
Technology fund	5,050,000	5,050,000		5,050,000		-5,050,000
Educational and cultural exchange programs	197,731,000	199,024,000	200,000,000	205,024,000	202,500,000	+4,769,000
Eisenhower Exchange Fellowship Program, trust fund	570,000	600,000	600,000	525,000	525,000	-45,000
Israeli Arab scholarship program	400,000	400,000	400,000	350,000	350,000	-50,000
International Broadcasting Operations	364,415,000	388,690,000	383,957,000	332,915,000	362,365,000	-2,050,000
Emergency appropriations (P.L. 105-174)	5,000,000					-5,000,000
Broadcasting to Cuba (direct)	22,095,000			22,095,000	22,095,000	
Radio construction	40,000,000	25,308,000	16,308,000	13,245,000	13,245,000	-26,755,000
East-West Center	12,000,000	5,000,000		12,000,000	12,500,000	+500,000
(By transfer)				(13,000,000)		
North/South Center	1,500,000	2,500,000		3,000,000	1,750,000	+250,000
National Endowment for Democracy	30,000,000	31,000,000	31,000,000	30,500,000	31,000,000	+1,000,000
Total, United States Information Agency	1,105,858,000	1,119,300,000	1,089,411,000	1,051,801,000	1,101,576,000	-4,282,000
Arms Control and Disarmament Agency						
Arms control and disarmament activities (rescission)	-700,000					+700,000
Total, related agencies	1,146,658,000	1,162,700,000	1,130,911,000	1,095,201,000	1,143,076,000	-3,582,000
Total, title IV, Department of State	5,183,908,000	5,877,359,000	5,487,256,000	5,599,829,000	5,501,854,000	+317,946,000
Appropriations	(5,179,608,000)	(5,877,359,000)	(5,487,256,000)	(5,599,829,000)	(5,501,854,000)	(+322,246,000)
Emergency appropriations	(5,000,000)					(-5,000,000)
Rescissions	(-700,000)					(+700,000)
(By transfer)			(22,000,000)	(18,223,000)	(25,223,000)	(+25,223,000)

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE V - RELATED AGENCIES						
DEPARTMENT OF TRANSPORTATION						
Maritime Administration						
Operating-differential subsidies (liquidation of contract authority)	(51,030,000)	.....	.....	.....	.....	(-51,030,000)
Maritime Security Program	35,500,000	97,650,000	97,650,000	97,650,000	89,650,000	+54,150,000
Operations and training	67,600,000	70,553,000	67,600,000	69,818,000	69,303,000	+1,703,000
Maritime Guaranteed Loan (Title XI) Program Account:						
Guaranteed loans subsidy	32,000,000	6,000,000	6,000,000	6,000,000	6,000,000	-26,000,000
Administrative expenses	3,725,000	4,000,000	3,725,000	4,000,000	3,725,000	.....
Total, Maritime guaranteed loan program account	35,725,000	10,000,000	9,725,000	10,000,000	9,725,000	-26,000,000
Total, Maritime Administration	138,825,000	178,203,000	174,975,000	177,468,000	168,678,000	+29,853,000
Commission for the Preservation of America's Heritage Abroad						
Salaries and expenses	250,000	250,000	280,000	250,000	265,000	+15,000
Commission on Civil Rights						
Salaries and expenses	8,740,000	11,000,000	8,740,000	8,900,000	8,900,000	+160,000
Commission on Immigration Reform						
Salaries and expenses	459,000	.....	.....	.....	.....	-459,000
Commission on Security and Cooperation in Europe						
Salaries and expenses	1,090,000	1,090,000	1,170,000	1,159,000	1,170,000	+80,000
Equal Employment Opportunity Commission						
Salaries and expenses	242,000,000	279,000,000	260,500,000	253,580,000	279,000,000	+37,000,000
Federal Communications Commission						
Salaries and expenses	186,514,000	212,977,000	181,514,000	197,921,000	192,000,000	+5,486,000
Offsetting fee collections - current year	-162,523,000	.....	-172,523,000	-172,523,000	-172,523,000	-10,000,000
Direct appropriation	23,991,000	212,977,000	8,991,000	25,398,000	19,477,000	-4,514,000
Offsetting fee collections	.....	-172,523,000	.....	.....	.....	.....
Federal Maritime Commission						
Salaries and expenses	14,000,000	14,500,000	14,000,000	14,300,000	14,150,000	+150,000
Federal Trade Commission						
Salaries and expenses	106,500,000	112,867,000	110,490,000	111,867,000	116,679,000	+10,179,000
Offsetting fee collections - carryover	-18,000,000	-11,700,000	-30,000,000	-18,700,000	-30,000,000	-12,000,000
Offsetting fee collections - current year	-70,000,000	.....	-76,500,000	-90,000,000	-76,500,000	-6,500,000
Direct appropriation	18,500,000	101,167,000	3,990,000	3,167,000	10,179,000	-8,321,000
Gambling Impact Study Commission						
Salaries and expenses	1,000,000	.....	.....	.....	.....	-1,000,000
Legal Services Corporation						
Payment to the Legal Services Corporation	283,000,000	340,000,000	250,000,000	300,000,000	300,000,000	+17,000,000
Marine Mammal Commission						
Salaries and expenses	1,185,000	1,240,000	1,240,000	1,240,000	1,240,000	+55,000
Ocean Policy Commission						
Salaries and expenses	.....	.....	.....	3,500,000	3,500,000	+3,500,000
Securities and Exchange Commission						
Salaries and expenses	315,000,000	118,098,000	23,000,000	341,098,000	23,000,000	-292,000,000
Current year fees	.....	205,000,000	214,000,000	.....	214,000,000	+214,000,000
1998 fees	.....	18,000,000	87,000,000	.....	87,000,000	+87,000,000
Subtotal	315,000,000	341,098,000	324,000,000	341,098,000	324,000,000	+9,000,000
Offsetting fee collections	-249,523,000	.....	.....	-341,098,000	.....	+249,523,000
Offsetting fee collections - carryover	-32,000,000	.....	.....	.....	.....	+32,000,000
Direct appropriation	33,477,000	341,098,000	324,000,000	.....	324,000,000	+290,523,000
Small Business Administration						
Salaries and expenses	254,200,000	281,100,000	249,000,000	265,000,000	288,300,000	+34,100,000
Office of Inspector General	10,000,000	11,300,000	11,300,000	10,500,000	10,800,000	+800,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Business Loans Program Account:						
Direct loans subsidy	.....	5,724,000	2,000,000	3,816,000	2,200,000	+2,200,000
Guaranteed loans subsidy	181,232,000	163,000,000	139,630,000	143,000,000	128,030,000	-53,202,000
Administrative expenses	94,000,000	94,000,000	86,910,000	94,000,000	94,000,000	.....
Total, Business loans program account	275,232,000	262,724,000	228,540,000	240,816,000	224,230,000	-51,002,000
Disaster Loans Program Account:						
Direct loans subsidy	23,200,000	.....	100,000,000	.....	76,329,000	+53,129,000
Administrative expenses	150,000,000	166,000,000	116,000,000	94,000,000	116,000,000	-34,000,000
Total, Disaster loans program account	173,200,000	166,000,000	216,000,000	94,000,000	192,329,000	+19,129,000
Surety bond guarantees revolving fund	3,500,000	3,300,000	3,300,000	3,300,000	3,300,000	-200,000
Total, Small Business Administration	716,132,000	724,424,000	708,140,000	613,616,000	718,959,000	+2,827,000
State Justice Institute						
Salaries and expenses 4/	6,850,000	12,000,000	6,850,000	6,850,000	6,850,000	.....
Total, title V, Related agencies	1,489,499,000	2,044,426,000	1,762,876,000	1,409,428,000	1,856,368,000	+366,869,000
Appropriations	(1,489,499,000)	(2,044,426,000)	(1,762,876,000)	(1,409,428,000)	(1,856,368,000)	(+366,869,000)
(Liquidation of contract authority)	(51,030,000)	.....	.....	.....	.....	(-51,030,000)
TITLE VI - GENERAL PROVISIONS						
GOVERNMENT-WIDE						
Defense function (by transfer)	(33,169,000)	.....	.....	.....	.....	(-33,169,000)
International function (by transfer)	(45,432,000)	.....	.....	.....	.....	(-45,432,000)
Domestic function (by transfer)	(31,061,000)	.....	.....	.....	.....	(-31,061,000)
Total, title VI, general provisions	.....	.....	.....	.....	.....	.....
(By transfer)	(109,662,000)	.....	.....	.....	.....	(-109,662,000)
TITLE VII - RESCISSIONS						
DEPARTMENT OF JUSTICE						
General Administration						
Working capital fund (rescission)	-100,000,000	-45,326,000	-45,326,000	-45,326,000	-99,000,000	+1,000,000
Legal Activities						
United States trustee system fund (rescission)	.....	.....	-17,000,000	.....	.....	.....
Assets forfeiture fund (rescission)	.....	.....	.....	.....	-2,000,000	-2,000,000
Federal Bureau of Investigation						
FY 1998 FBI Legal Attache (rescission)	.....	.....	.....	-4,178,000	.....	.....
FY 1996 FBI construction (rescission)	.....	.....	.....	-6,000,000	.....	.....
FY 1998 FBI construction (rescission)	.....	.....	.....	-4,000,000	-4,000,000	-4,000,000
No Year FBI salaries and expenses (rescission)	.....	.....	.....	-6,400,000	-6,400,000	-6,400,000
FY 1996 VCRP (rescission)	.....	.....	.....	-2,000,000	-2,000,000	-2,000,000
FY 1997 VCRP (rescission)	.....	.....	.....	-300,000	-300,000	-300,000
Total, Federal Bureau of Investigation	.....	.....	.....	-22,878,000	-12,700,000	-12,700,000
Immigration and Naturalization Service						
Immigration emergency fund (rescission)	.....	.....	.....	.....	-5,000,000	-5,000,000
DEPARTMENT OF COMMERCE						
FY 1998 Commerce (rescission)	.....	.....	.....	-2,090,000	-2,090,000	-2,090,000
National Institute of Standards and Technology						
Industrial technology services (rescission)	.....	.....	.....	.....	-6,000,000	-6,000,000
DEPARTMENT OF TRANSPORTATION						
Maritime Administration						
Ship construction fund (rescission)	.....	.....	.....	.....	-17,000,000	-17,000,000
Total, title VII, Rescissions	-100,000,000	-45,326,000	-62,326,000	-70,294,000	-143,790,000	-43,790,000
TITLE VIII - EMERGENCY SUPPLEMENTAL APPROPRIATIONS						
National Oceanic and Atmospheric Administration						
Operations, research and facilities	7,000,000	.....	.....	.....	.....	-7,000,000
Scorekeeping adjustments	-38,000,000	-3,527,708,000	-504,002,000	-76,376,000	-506,428,000	-468,428,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Grand total:						
New budget (obligational) authority	32,085,907,000	34,443,780,000	33,473,219,000	33,162,414,000	33,693,276,000	+1,607,369,000
Appropriations	(26,980,107,000)	(26,178,636,000)	(28,069,605,000)	(27,716,618,000)	(28,376,976,000)	(+1,396,869,000)
Emergency appropriations	(5,000,000)	.....	.....	.....	.....	(-5,000,000)
Advance appropriations	.....	(2,912,815,000)	.....	.....	.....	.....
Rescissions	(-124,200,000)	(-161,668,000)	(-108,326,000)	(-68,204,000)	(-195,700,000)	(-71,500,000)
Crime trust fund	(5,225,000,000)	(5,513,977,000)	(5,511,940,000)	(5,514,000,000)	(5,512,000,000)	(+287,000,000)
(By transfer)	(172,043,000)	(62,381,000)	(85,381,000)	(81,296,000)	(88,604,000)	(-83,439,000)
(Limitation on administrative expenses)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	(3,266,000)	.....
(Liquidation of contract authority)	(51,030,000)	.....	.....	.....	.....	(-51,030,000)

1/ Funded under Federal Prison System.
2/ Funded under Juvenile Justice.
3/ Funded under Counterterrorism Fund.
4/ President's budget proposed $6,000,000 for State Justice Institute.

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
FEDERAL FUNDS						
Metrorail improvements and expansion			25,000,000		25,000,000	+25,000,000
Federal payment for management reform	8,000,000			25,000,000	25,000,000	+17,000,000
Federal payment for Boys Town U.S.A			4,000,000	7,100,000	7,100,000	+7,100,000
Federal contribution to the operations of the Nation's Capital	190,000,000					-190,000,000
D.C. National Capital Revitalization Corporation		50,000,000				
Federal support for economic development		25,000,000		500,000		
Management Reforms to improve the District of Columbia's Economic Development Infrastructure		25,000,000				
Nation's Capital Infrastructure Fund 1/		(254,000,000)	21,000,000	75,000,000	18,778,000	+18,778,000
Environmental Study and Related Activities at Lorton Correctional Complex			7,000,000		7,000,000	+7,000,000
Offender Supervision, Defender, and Court Services Agency			4,000,000			
Federal payment to the District of Columbia corrections trustee operations	169,000,000	184,800,000	184,800,000	184,800,000	184,800,000	+15,800,000
Corrections Trustee for Correctional Facilities, construction and repair 2/	(302,000,000)					(-302,000,000)
Federal payment to the District of Columbia Criminal Justice System	108,000,000					-108,000,000
Federal payment to the District of Columbia Courts		142,000,000	142,000,000	128,000,000	128,000,000	+128,000,000
District of Columbus Offender Supervision, Defender, and Court Services Agency	43,000,000	59,400,000	59,400,000	59,400,000	59,400,000	+16,400,000
U.S. Park Police (Sec. 141)	12,000,000					-12,000,000
Federal payment for Metropolitan Police Department			1,200,000		1,200,000	+1,200,000
Federal payment for Fire Department			3,240,000		3,240,000	+3,240,000
Federal payment for Georgetown Waterfront Park Fund				1,000,000	1,000,000	+1,000,000
Federal payment to Historical Society for City Museum			2,000,000		2,000,000	+2,000,000
Federal payment for a National Museum of American Music and for downtown revitalization				1,000,000	700,000	+700,000
United States Park Police			8,500,000		8,500,000	+8,500,000
Federal payment for waterfront improvements			3,000,000		3,000,000	+3,000,000
Federal payment for mentoring services			200,000		200,000	+200,000
Federal payment for hotline services			50,000		50,000	+50,000
Federal payment for public education			20,391,000		15,622,000	+15,622,000
Federal payment for Children's National Medical Center					1,000,000	+1,000,000
Medicare Coordinated Care Demonstration Project (Sec. 160)	3,000,000				3,000,000	
Federal payment to District of Columbia Scholarship Fund			5,400,000			
Total, Federal funds to the District of Columbia	533,000,000	486,200,000	491,181,000	481,800,000	494,590,000	-38,410,000
DISTRICT OF COLUMBIA FUNDS						
Operating Expenses						
Governmental direction and support	(105,177,000)	(164,717,000)	(164,144,000)	(164,717,000)	(164,144,000)	(+58,967,000)
Economic development and regulation	(120,072,000)	(156,039,000)	(159,039,000)	(156,039,000)	(159,039,000)	(+38,967,000)
Public safety and justice	(529,739,000)	(751,346,000)	(755,786,000)	(751,346,000)	(755,786,000)	(+226,047,000)
Public education system	(672,444,000)	(773,334,000)	(793,725,000)	(773,334,000)	(788,956,000)	(+116,512,000)
Human support services	(1,718,939,000)	(1,514,751,000)	(1,514,751,000)	(1,514,751,000)	(1,514,751,000)	(-204,188,000)
Public works	(241,934,000)	(266,912,000)	(266,912,000)	(266,912,000)	(266,912,000)	(+24,978,000)
Financing and other				(451,623,000)		
Washington Convention Center Transfer Payment	(5,400,000)	(5,400,000)	(5,400,000)		(5,400,000)	
Repayment of Loans and Interest	(384,430,000)	(382,170,000)	(382,170,000)		(382,170,000)	(-2,260,000)
Repayment of General Fund Recovery Debt	(39,020,000)	(38,453,000)	(38,453,000)		(38,453,000)	(-567,000)
Payment of Interest on Short-Term Borrowing	(12,000,000)	(11,000,000)	(11,000,000)		(11,000,000)	(-1,000,000)
Certificates of Participation	(7,923,000)	(7,926,000)	(7,926,000)		(7,926,000)	(+3,000)
Human Resources Development	(6,000,000)	(6,674,000)	(6,674,000)		(6,674,000)	(+674,000)
Productivity Savings		(-10,000,000)	(-10,000,000)	(-10,000,000)	(-10,000,000)	(-10,000,000)
Receivership Programs		(318,979,000)	(318,979,000)	(318,979,000)	(318,979,000)	(+318,979,000)
Deficit reduction and revitalization	(201,090,000)					(-201,090,000)
District of Columbia Financial Responsibility and Management Assistance Authority	(3,220,000)	(7,840,000)	(7,840,000)	(7,840,000)	(7,840,000)	(+4,620,000)
Total, operating expenses, general fund	(4,047,388,000)	(4,395,541,000)	(4,422,799,000)	(4,395,541,000)	(4,418,030,000)	(+370,642,000)
Enterprise Funds						
Water and Sewer Authority and the Washington Aqueduct	(297,310,000)	(273,314,000)	(273,314,000)	(273,314,000)	(273,314,000)	(-23,996,000)
Lottery and Charitable Games Control Board	(213,500,000)	(225,200,000)	(225,200,000)	(225,200,000)	(225,200,000)	(+11,700,000)
Cable Television Enterprise Fund	(2,467,000)	(2,108,000)	(2,108,000)	(2,108,000)	(2,108,000)	(-359,000)
Public Service Commission	(4,547,000)	(5,026,000)	(5,026,000)	(5,026,000)	(5,026,000)	(+479,000)
Office of People's Counsel	(2,428,000)	(2,501,000)	(2,501,000)	(2,501,000)	(2,501,000)	(+73,000)
Department of Insurance and Securities Regulation	(5,683,000)	(7,001,000)	(7,001,000)	(7,001,000)	(7,001,000)	(+1,318,000)
Office of Banking and Financial Institutions	(600,000)	(640,000)	(640,000)	(640,000)	(640,000)	(+40,000)
Starplex Fund	(5,936,000)	(8,751,000)	(8,751,000)	(8,751,000)	(8,751,000)	(+2,815,000)
D.C. General Hospital (Public Benefit Corporation)	(52,684,000)	(66,764,000)	(66,764,000)	(66,764,000)	(66,764,000)	(+14,080,000)
D.C. Retirement Board	(16,762,000)	(18,202,000)	(18,202,000)	(18,202,000)	(18,202,000)	(+1,440,000)
Correctional Industries Fund	(3,332,000)	(3,332,000)	(3,332,000)	(3,332,000)	(3,332,000)	
Washington Convention Center Enterprise Fund	(41,000,000)	(48,139,000)	(48,139,000)	(48,139,000)	(48,139,000)	(+7,139,000)
Total, Enterprise Funds	(646,249,000)	(660,978,000)	(660,978,000)	(660,978,000)	(660,978,000)	(+14,729,000)
Total, operating expenses	(4,693,637,000)	(5,056,519,000)	(5,083,777,000)	(5,056,519,000)	(5,079,008,000)	(+385,371,000)

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1999 —continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Capital Outlay						
General fund	(269,330,000)	(1,711,160,737)	(1,711,160,737)	(1,711,160,737)	(1,711,160,737)	(+1,441,830,737)
Total, District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(6,767,679,737)	(6,790,168,737)	(+1,827,201,737)
Total:						
Federal Funds to the District of Columbia	533,000,000	486,200,000	491,181,000	481,800,000	494,590,000	-38,410,000
District of Columbia funds	(4,962,967,000)	(6,767,679,737)	(6,794,937,737)	(6,767,679,737)	(6,790,168,737)	(+1,827,201,737)

1/ Requested by District, but not in President's budget request.

2/ FY 1999 request included in Commerce Justice Bill.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - EXPORT AND INVESTMENT ASSISTANCE						
EXPORT-IMPORT BANK OF THE UNITED STATES						
Limitation on Program Activity:						
Subsidy appropriation	683,000,000	808,000,000	745,500,000	785,000,000	765,000,000	+82,000,000
(Direct loan authorization)	(1,330,000,000)	(1,325,000,000)	(1,325,000,000)	(1,325,000,000)	(1,325,000,000)	(-5,000,000)
(Guaranteed loan authorization)	(11,300,000,000)	(15,401,000,000)	(15,401,000,000)	(15,401,000,000)	(15,401,000,000)	(+4,101,000,000)
Administrative expenses	48,614,000	51,940,000	50,277,000	49,000,000	50,000,000	+1,386,000
Negative subsidy	-51,000,000	-25,000,000	-25,000,000	-25,000,000	-25,000,000	+26,000,000
Total, Export-Import Bank of the United States	680,614,000	834,940,000	770,777,000	809,000,000	790,000,000	+109,386,000
INTERNATIONAL ASSISTANCE PROGRAMS						
OVERSEAS PRIVATE INVESTMENT CORPORATION						
Noncredit account:						
Administrative expenses	32,000,000	34,000,000	33,000,000	32,000,000	32,500,000	+500,000
Insurance fees and other offsetting collections	-251,000,000	-260,000,000	-260,000,000	-260,000,000	-260,000,000	-9,000,000
Direct loans:						
Loan subsidy	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	.....
(Loan authorization)	(133,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+67,000,000)
Guaranteed loans:						
Loan subsidy	56,000,000	46,000,000	46,000,000	46,000,000	46,000,000	-10,000,000
(Loan authorization)	(1,800,000,000)	(2,600,000,000)	(2,600,000,000)	(2,600,000,000)	(2,600,000,000)	(+800,000,000)
Total, Overseas Private Investment Corporation	-159,000,000	-176,000,000	-177,000,000	-178,000,000	-177,500,000	-18,500,000
TRADE AND DEVELOPMENT AGENCY						
Trade and development agency	41,500,000	50,000,000	41,500,000	43,000,000	44,000,000	+2,500,000
Total, title I, Export and investment assistance	563,114,000	708,940,000	635,277,000	674,000,000	656,500,000	+93,386,000
(Loan authorizations)	(14,563,000,000)	(19,526,000,000)	(19,526,000,000)	(19,526,000,000)	(19,526,000,000)	(+4,963,000,000)
TITLE II - BILATERAL ECONOMIC ASSISTANCE						
INTERNATIONAL ASSISTANCE PROGRAMS						
Agency for International Development						
Child survival and disease programs fund	650,000,000	502,836,000	650,000,000	.....	650,000,000	.....
Development assistance	1,210,000,000	1,265,798,000	1,174,000,000	1,904,000,000	1,225,000,000	+15,000,000
International disaster assistance	190,000,000	205,000,000	150,000,000	200,000,000	200,000,000	+10,000,000
Micro & Small Enterprise Development program account:						
Subsidy appropriations	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	.....
(Direct loan authorization)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
(Guaranteed loan authorization)	(48,000,000)	(48,000,000)	(48,000,000)	(48,000,000)	(48,000,000)	.....
Administrative expenses	500,000	500,000	500,000	500,000	500,000	.....
Urban and environmental credit program account:						
Subsidy appropriations	3,000,000	6,000,000	.....	3,000,000	1,500,000	-1,500,000
(Guaranteed loan authorization)	(46,000,000)	(68,000,000)	.....	(68,000,000)	(68,000,000)	(+22,000,000)
Administrative expenses	6,000,000	6,053,000	5,500,000	4,000,000	5,000,000	-1,000,000
Development credit authority program account (by transfer)	.....	(15,000,000)	.....	.....	.....	.....
Subtotal, development assistance	2,061,000,000	1,987,687,000	1,981,500,000	2,113,000,000	2,083,500,000	+22,500,000
Payment to the Foreign Service Retirement and Disability Fund	44,208,000	44,552,000	44,552,000	44,552,000	44,552,000	+344,000
Operating expenses of the Agency for International Development	473,000,000	483,858,000	460,000,000	475,000,000	479,950,000	+6,950,000
Operating expenses of the Agency for International Development Office of Inspector General	29,047,000	33,000,000	31,500,000	30,000,000	30,750,000	+1,703,000
Total, Agency for International Development	2,607,255,000	2,549,097,000	2,517,552,000	2,662,552,000	2,638,752,000	+31,497,000
Other Bilateral Economic Assistance						
Economic support fund:						
Camp David countries	2,015,000,000	2,015,000,000	1,855,000,000	1,855,000,000	1,855,000,000	-160,000,000
Other	385,000,000	498,600,000	471,000,000	450,600,000	512,000,000	+127,000,000
Subtotal, Economic support fund	2,400,000,000	2,513,600,000	2,326,000,000	2,305,600,000	2,367,000,000	-33,000,000
International fund for Ireland	19,600,000	.....	19,600,000	.....	19,600,000	.....
Assistance for Eastern Europe and the Baltic States	485,000,000	464,500,000	450,000,000	432,500,000	430,000,000	-55,000,000
Assistance for the New Independent States of the former Soviet Union	770,000,000	925,000,000	590,000,000	740,000,000	801,000,000	+31,000,000
Total, Other Bilateral Economic Assistance	3,674,600,000	3,903,100,000	3,385,600,000	3,478,100,000	3,617,600,000	-57,000,000

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
INDEPENDENT AGENCIES						
Inter-American Foundation						
Appropriations	.....	22,000,000	20,680,000	.....	.....	.....
(By transfer)	(22,000,000)	.....	.....	(20,000,000)	(20,000,000)	(-2,000,000)
African Development Foundation						
Appropriations	.....	14,000,000	13,160,000	.....	.....	.....
(By transfer)	(14,000,000)	.....	.....	(11,000,000)	(11,000,000)	(-3,000,000)
Peace Corps						
Appropriations	222,000,000	270,335,000	230,000,000	221,000,000	240,000,000	+18,000,000
Department of State						
International narcotics control	215,000,000	275,000,000	275,000,000	222,000,000	261,000,000	+46,000,000
Narcotics Interdiction	15,000,000	.....	.....	.....	.....	-15,000,000
Migration and refugee assistance	650,000,000	650,000,000	640,000,000	650,000,000	640,000,000	-10,000,000
Refugee resettlement assistance	5,000,000	.....	.....	.....	.....	-5,000,000
United States Emergency Refugee and Migration Assistance Fund	50,000,000	20,000,000	30,000,000	20,000,000	30,000,000	-20,000,000
Nonproliferation, anti-terrorism, demining and related programs	133,000,000	215,900,000	152,000,000	170,000,000	198,000,000	+65,000,000
Total, Department of State	1,068,000,000	1,160,900,000	1,097,000,000	1,062,000,000	1,129,000,000	+61,000,000
Department of the Treasury						
Debt restructuring	27,000,000	72,000,000	36,000,000	25,000,000	33,000,000	+6,000,000
International affairs technical assistance	.....	5,000,000	.....	3,000,000	1,500,000	+1,500,000
United States community adjustment and investment program	.....	37,000,000	.....	.....	10,000,000	+10,000,000
Subtotal, Department of the Treasury	27,000,000	114,000,000	36,000,000	28,000,000	44,500,000	+17,500,000
Total, title II, Bilateral economic assistance	7,598,855,000	8,033,432,000	7,299,992,000	7,451,652,000	7,669,852,000	+70,997,000
(By transfer)	(36,000,000)	(15,000,000)	.....	(31,000,000)	(31,000,000)	(-5,000,000)
(Loan authorizations)	(95,000,000)	(117,000,000)	(49,000,000)	(117,000,000)	(117,000,000)	(+22,000,000)
TITLE III - MILITARY ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Military Education and Training	50,000,000	50,000,000	50,000,000	50,000,000	50,000,000	.....
Foreign Military Financing Program:						
Grants:						
Camp David countries	3,100,000,000	3,100,000,000	3,160,000,000	3,160,000,000	3,160,000,000	+60,000,000
Other	196,550,000	175,910,000	175,910,000	162,910,000	170,000,000	-26,550,000
Subtotal, grants	3,296,550,000	3,275,910,000	3,335,910,000	3,322,910,000	3,330,000,000	+33,450,000
(Limitation on administrative expenses)	(23,250,000)	(29,910,000)	(29,910,000)	(29,910,000)	(29,910,000)	(+6,660,000)
Direct concessional loans:						
Subsidy appropriation	60,000,000	20,000,000	20,000,000	20,000,000	20,000,000	-40,000,000
(Loan authorization)	(657,000,000)	(167,000,000)	(167,000,000)	(167,000,000)	(167,000,000)	(-490,000,000)
FMF program level	(3,953,550,000)	(3,442,910,000)	(3,502,910,000)	(3,489,910,000)	(3,497,000,000)	(-456,550,000)
Total, Foreign military assistance	3,356,550,000	3,295,910,000	3,355,910,000	3,342,910,000	3,350,000,000	-6,550,000
Special Defense Acquisition Fund:						
Offsetting collections	-106,000,000	-19,000,000	-19,000,000	-19,000,000	-19,000,000	+87,000,000
Peacekeeping operations	77,500,000	83,000,000	62,250,000	75,000,000	76,500,000	-1,000,000
Total, title III, Military assistance	3,378,050,000	3,409,910,000	3,449,160,000	3,448,910,000	3,457,500,000	+79,450,000
(Limitation on administrative expenses)	(23,250,000)	(29,910,000)	(29,910,000)	(29,910,000)	(29,910,000)	(+6,660,000)
(Loan authorization)	(657,000,000)	(167,000,000)	(167,000,000)	(167,000,000)	(167,000,000)	(-490,000,000)
TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Financial Institutions						
World Bank Group						
Contribution to the International Bank for Reconstruction and Development:						
Contribution to the Global Environment Facility 1/	47,500,000	300,000,000	42,500,000	47,500,000	192,500,000	+145,000,000
Contribution to the International Development Association	1,034,503,100	800,000,000	800,000,000	800,000,000	800,000,000	-234,503,100
Total, World Bank Group	1,082,003,100	1,100,000,000	842,500,000	847,500,000	992,500,000	-89,503,100

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Contribution to the Inter-American Development Bank:						
Paid-in capital	25,610,667	25,610,667	25,610,667	25,610,667	25,610,667	.....
(Limitation on callable capital subscriptions)	(1,503,718,910)	(1,503,718,910)	(1,503,718,910)	(1,503,718,910)	(1,503,718,910)	.....
Fund for special operations 1/	20,835,000	21,152,000	21,152,000	21,152,000	21,152,000	+317,000
Contribution to the Enterprise for the Americas Multilateral Investment Fund 1/	30,000,000	50,000,000	50,000,000	50,000,000	50,000,000	+20,000,000
Total, contribution to the Inter-American Development Bank	76,445,667	96,762,667	96,762,667	96,762,667	96,762,667	+20,317,000
Contribution to the Asian Development Bank:						
Paid-in capital	13,221,596	13,221,596	13,221,596	13,221,596	13,221,596	.....
(Limitation on callable capital subscriptions)	(647,858,204)	(647,858,204)	(647,858,204)	(647,858,204)	(647,858,204)	.....
Contribution to the Asian Development fund 1/	150,000,000	250,000,000	210,000,000	187,000,000	210,000,000	+60,000,000
Total, contribution to the Asian Development Bank	163,221,596	263,221,596	223,221,596	200,221,596	223,221,596	+60,000,000
Contribution to the African Development Fund 1/	45,000,000	155,000,000	128,000,000	5,000,000	128,000,000	+83,000,000
Contribution to the European Bank for Reconstruction and Development:						
Paid-in capital	35,778,717	35,778,717	35,778,717	35,778,717	35,778,717	.....
(Limitation on callable capital subscriptions)	(123,237,803)	(123,237,803)	(123,237,803)	(123,237,803)	(123,237,803)	.....
North American Development Bank:						
Paid-in capital	56,500,000	.....	.....	.....	.....	-56,500,000
(Limitation on callable capital subscriptions)	(318,750,000)	.....	.....	.....	.....	(-318,750,000)
International Monetary Fund						
Contribution to the enhanced structural adjustment facility	.....	7,000,000	.....	.....	.....	.....
Total, International Financial Institutions	1,458,949,080	1,657,762,980	1,326,262,980	1,185,262,980	1,476,262,980	+17,313,900
(Limitation on callable capital subscript)	(2,593,564,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(-318,750,000)
International Organizations and Programs						
International organizations and programs	192,000,000	314,000,000	157,250,000	170,000,000	187,000,000	-5,000,000
(By transfer)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)	.....
Total, title IV, Multilateral economic assistance	1,650,949,080	1,971,762,980	1,483,512,980	1,355,262,980	1,663,262,980	+12,313,900
(By transfer)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)	.....
(Limitation on callable capital subscript)	(2,593,564,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(-318,750,000)
TITLE VI						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Monetary Programs						
Loans to International Monetary Fund 2/	.....	3,361,000,000	3,361,000,000	3,361,000,000	3,361,000,000	+3,361,000,000
United States Quota, International Monetary Fund 2/	.....	14,500,000,000	.....	14,500,000,000	14,500,000,000	+14,500,000,000
Total, International Monetary Programs	.....	17,861,000,000	3,361,000,000	17,861,000,000	17,861,000,000	+17,861,000,000
Grand total	13,190,968,080	31,985,044,980	16,228,941,980	30,790,824,980	31,308,114,980	+18,117,146,900
(By transfer)	(38,500,000)	(17,500,000)	(2,500,000)	(33,500,000)	(33,500,000)	(-5,000,000)
(Limitation on administrative expenses)	(23,250,000)	(29,910,000)	(29,910,000)	(29,910,000)	(29,910,000)	(+6,660,000)
(Limitation on callable capital subscript)	(2,593,564,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(2,274,814,917)	(-318,750,000)
(Loan authorizations)	(15,315,000,000)	(19,810,000,000)	(19,742,000,000)	(19,810,000,000)	(19,810,000,000)	(+4,495,000,000)
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustment: SDAF offsetting collections	.....	.....	.....	.....	-37,000,000	-37,000,000
Total mandatory and discretionary	13,190,968,080	31,985,044,980	16,228,941,980	30,790,824,980	31,271,114,980	+18,080,146,900
Mandatory	44,208,000	44,552,000	44,552,000	44,552,000	44,552,000	+344,000
Discretionary including arrearages & IMF	13,146,760,080	31,940,492,980	16,184,389,980	30,746,272,980	31,226,562,980	+18,079,802,900
Arrearages	-359,753,100	-502,485,334	-351,952,000	-310,652,000	-538,952,000	-179,198,900
IMF	.....	-17,861,000,000	-3,361,000,000	-17,861,000,000	-17,861,000,000	-17,861,000,000
Discretionary excluding arrearages & IMF	12,787,006,980	13,577,007,646	12,471,437,980	12,574,620,980	12,826,610,980	+39,604,000

1/ The amounts shown for the Senate are provided as an FY 1998 supplemental.

2/ The amounts shown for the President's request were requested as an FY 1998 supplemental; the amounts shown for the Senate are provided as an FY 1998 supplemental.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Management of lands and resources	582,082,000	660,310,000	596,425,000	633,058,000	619,311,000	+37,229,000
Wildland fire management	280,103,000	298,353,000	286,895,000	288,975,000	286,895,000	+6,792,000
Central hazardous materials fund	12,000,000	10,000,000	10,000,000	9,000,000	10,000,000	-2,000,000
Construction	5,091,000	4,175,000	6,975,000	8,197,000	10,997,000	+5,906,000
Payments in lieu of taxes	120,000,000	120,000,000	140,000,000	125,000,000	125,000,000	+5,000,000
Land acquisition	11,200,000	15,000,000	10,000,000	15,850,000	14,600,000	+3,400,000
Oregon and California grant lands	98,906,000	98,966,000	98,407,000	94,791,000	97,037,000	-1,869,000
Range improvements (indefinite)	9,113,000	10,000,000	10,000,000	10,000,000	10,000,000	+887,000
Service charges, deposits, and forfeitures (indefinite)	8,706,000	8,055,000	8,055,000	7,226,000	8,055,000	-651,000
Miscellaneous trust funds (indefinite)	8,800,000	8,800,000	8,800,000	8,800,000	8,800,000	.....
Total, Bureau of Land Management	1,136,001,000	1,233,659,000	1,175,557,000	1,200,697,000	1,190,695,000	+54,694,000
United States Fish and Wildlife Service						
Resource management	594,592,000	675,828,000	607,106,000	624,019,000	661,136,000	+66,544,000
Construction	76,636,000	37,000,000	66,100,000	48,734,000	50,453,000	-26,183,000
Land acquisition	62,632,000	60,500,000	30,000,000	62,120,000	48,024,000	-14,608,000
Cooperative endangered species conservation fund	14,000,000	17,000,000	15,000,000	34,000,000	14,000,000	.....
National wildlife refuge fund	10,779,000	10,000,000	10,779,000	10,779,000	10,779,000	.....
North American wetlands conservation fund	11,700,000	14,700,000	12,700,000	15,000,000	15,000,000	+3,300,000
Wildlife conservation and appreciation fund	800,000	800,000	800,000	800,000	800,000	.....
Multinational species conservation fund	1,400,000	2,400,000	2,400,000	1,900,000	2,000,000	+600,000
Total, United States Fish and Wildlife Service	772,539,000	818,228,000	744,885,000	797,352,000	802,192,000	+29,653,000
National Park Service						
Operation of the national park system	1,234,004,000	1,320,828,000	1,333,328,000	1,288,903,000	1,285,604,000	+51,600,000
National recreation and preservation	44,259,000	46,575,000	43,939,000	48,800,000	46,225,000	+1,966,000
Historic preservation fund	40,812,000	100,612,000	40,812,000	55,612,000	72,412,000	+31,600,000
Construction	222,769,000	175,000,000	149,000,000	210,116,000	226,058,000	+3,289,000
Land and water conservation fund (rescission of contract authority)	-30,000,000	-30,000,000	-30,000,000	-30,000,000	-30,000,000	.....
Land acquisition and state assistance	143,290,000	138,087,000	69,000,000	88,100,000	147,925,000	+4,635,000
Urban park and recreation fund	.....	2,000,000	.....	.....	.....	.....
Total, National Park Service (net)	1,655,134,000	1,753,102,000	1,606,079,000	1,661,531,000	1,748,224,000	+93,090,000
United States Geological Survey						
Surveys, investigations, and research	760,358,000	806,883,000	774,838,000	772,115,000	797,896,000	+37,538,000
Minerals Management Service						
Royalty and offshore minerals management	144,196,000	222,402,000	216,402,000	217,275,000	217,902,000	+73,706,000
Additions to receipts	.....	-100,000,000	-100,000,000	-100,000,000	-100,000,000	-100,000,000
Oil spill research	6,118,000	6,118,000	6,118,000	6,118,000	6,118,000	.....
Total, Minerals Management Service	150,314,000	128,520,000	122,520,000	123,393,000	124,020,000	-26,294,000
Office of Surface Mining Reclamation and Enforcement						
Regulation and technology	94,937,000	93,265,000	93,074,000	92,634,000	93,078,000	-1,859,000
Receipts from performance bond forfeitures (indefinite)	500,000	275,000	275,000	275,000	275,000	-225,000
Subtotal	95,437,000	93,540,000	93,349,000	92,909,000	93,353,000	-2,084,000
Abandoned mine reclamation fund (definite, trust fund)	177,624,000	183,416,000	185,416,000	183,057,000	185,416,000	+7,792,000
(By transfer)	(3,163,000)	.....	.....	.....	.....	(-3,163,000)
Total, Office of Surface Mining Reclamation and Enforcement	273,061,000	276,956,000	278,765,000	275,966,000	278,769,000	+5,708,000
Bureau of Indian Affairs						
Operation of Indian programs	1,529,638,000	1,638,681,000	1,558,425,000	1,544,695,000	1,584,124,000	+54,486,000
Construction	125,279,000	152,054,000	121,695,000	123,421,000	123,421,000	-1,858,000
Indian land and water claim settlements and miscellaneous payments to Indians	43,352,000	38,396,000	28,396,000	28,882,000	28,882,000	-14,470,000
Indian guaranteed loan program account	5,000,000	5,005,000	5,001,000	5,001,000	5,001,000	+1,000
(Limitation on guaranteed loans)	(34,615,000)	(59,682,000)	(59,682,000)	.....	(59,682,000)	(+25,067,000)
Indian land consolidation pilot	.....	10,000,000	.....	.....	5,000,000	+5,000,000
Total, Bureau of Indian Affairs	1,703,269,000	1,844,136,000	1,713,517,000	1,701,999,000	1,746,428,000	+43,159,000

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Departmental Offices						
Insular Affairs:						
Assistance to Territories	39,794,000	38,555,000	36,455,000	38,325,000	38,455,000	-1,339,000
Northern Marianas Islands Covenant	27,720,000	27,720,000	27,720,000	27,720,000	27,720,000	.....
Subtotal, Assistance to Territories	67,514,000	66,275,000	64,175,000	66,045,000	66,175,000	-1,339,000
Compact of Free Association	8,545,000	8,445,000	8,545,000	8,830,000	8,930,000	+385,000
Mandatory payments	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000	.....
Subtotal, Compact of Free Association	20,545,000	20,445,000	20,545,000	20,830,000	20,930,000	+385,000
Total, Insular Affairs	88,059,000	86,720,000	84,720,000	86,875,000	87,105,000	-954,000
Departmental management	58,286,000	60,871,000	58,286,000	60,496,000	64,686,000	+6,400,000
Office of the Solicitor	35,443,000	37,304,000	37,304,000	36,464,000	36,784,000	+1,341,000
Office of Inspector General	24,500,000	25,684,000	24,499,000	25,486,000	25,486,000	+986,000
National Indian Gaming Commission	1,000,000	.....	.....	.....	.....	-1,000,000
Office of Special Trustee for American Indians	38,557,000	42,000,000	39,499,000	38,000,000	39,499,000	+942,000
Natural resource damage assessment fund	4,228,000	8,100,000	4,492,000	5,228,000	4,492,000	+264,000
Management of Federal lands for subsistence uses	.....	.....	.....	.....	8,000,000	+8,000,000
Total, Departmental Offices	250,073,000	260,679,000	248,800,000	252,549,000	266,052,000	+15,979,000
Total, title I, Department of the Interior:						
New budget (obligational) authority (net)	6,700,749,000	7,122,163,000	6,664,961,000	6,785,602,000	6,954,276,000	+253,527,000
Appropriations	(6,730,749,000)	(7,152,163,000)	(6,694,961,000)	(6,815,602,000)	(6,984,276,000)	(+253,527,000)
Rescissions	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	.....
(Limitation on guaranteed loans)	(34,615,000)	(59,682,000)	(59,682,000)	.....	(59,682,000)	(+25,067,000)
(By transfer)	(3,163,000)	.....	.....	.....	.....	(-3,163,000)
TITLE II - RELATED AGENCIES						
DEPARTMENT OF AGRICULTURE						
Forest Service						
Forest and rangeland research	187,796,000	198,122,000	197,444,000	212,927,000	197,444,000	+9,648,000
State and private forestry	209,178,000	162,900,000	156,167,000	165,091,000	170,722,000	-38,456,000
National forest system	1,357,744,000	1,417,708,000	1,231,421,000	1,129,098,000	1,298,570,000	-59,174,000
Wildland fire management	586,559,000	554,437,000	631,737,000	587,885,000	560,176,000	-26,383,000
Emergency appropriations	.....	102,000,000	.....	102,000,000	102,000,000	+102,000,000
Reconstruction and construction	166,015,000	160,914,000	271,444,000	353,840,000	297,352,000	+131,337,000
Land acquisition	52,976,000	56,057,000	30,000,000	67,022,000	117,918,000	+64,942,000
Acquisition of lands for national forests special acts	1,069,000	1,069,000	1,069,000	1,069,000	1,069,000	.....
Acquisition of lands to complete land exchanges (indefinite)	210,000	210,000	210,000	210,000	210,000	.....
Range betterment fund (indefinite)	3,811,000	3,300,000	3,300,000	3,300,000	3,300,000	-511,000
Gifts, donations and bequests for forest and rangeland research	92,000	92,000	92,000	92,000	92,000	.....
Midewin national tallgrass prairie restoration fund	100,000	.....	.....	.....	.....	-100,000
Management of Federal lands for subsistence uses	.....	.....	.....	.....	3,000,000	+3,000,000
Total, Forest Service	2,565,550,000	2,656,809,000	2,522,884,000	2,622,534,000	2,751,853,000	+186,303,000
DEPARTMENT OF ENERGY						
Clean coal technology:						
Rescission	-101,000,000	.....	.....	.....	.....	+101,000,000
Deferral	.....	-40,000,000	.....	-40,000,000	-40,000,000	-40,000,000
Subtotal	-101,000,000	-40,000,000	.....	-40,000,000	-40,000,000	+61,000,000
Fossil energy research and development	362,403,000	383,408,000	315,558,000	376,431,000	384,056,000	+21,653,000
Alternative fuels production (indefinite)	-1,500,000	-1,300,000	-1,300,000	-1,300,000	-1,300,000	+200,000
Naval petroleum and oil shale reserves	107,000,000	22,500,000	14,000,000	14,056,000	14,000,000	-93,000,000
Energy conservation	611,723,000	808,500,000	675,250,000	677,701,000	691,701,000	+79,978,000
Economic regulation	2,725,000	1,801,000	1,801,000	1,801,000	1,801,000	-924,000
Strategic petroleum reserve	207,500,000	160,120,000	160,120,000	155,120,000	160,120,000	-47,380,000
(By transfer)	(207,500,000)	.....	.....	.....	.....	(-207,500,000)
Energy Information Administration	66,800,000	70,500,000	68,000,000	68,000,000	70,500,000	+3,700,000
Elk Hills school lands fund	.....	36,000,000	.....	.....	36,000,000	+36,000,000
Total, Department of Energy:						
New budget (obligational) authority (net)	1,255,651,000	1,441,529,000	1,233,429,000	1,251,809,000	1,316,878,000	+61,227,000
Appropriations	(1,356,651,000)	(1,481,529,000)	(1,233,429,000)	(1,291,809,000)	(1,356,878,000)	(+227,000)
Rescission	(-101,000,000)	.....	.....	.....	.....	(+101,000,000)
Deferral	.....	(-40,000,000)	.....	(-40,000,000)	(-40,000,000)	(-40,000,000)
(By transfer)	(207,500,000)	.....	.....	.....	.....	(-207,500,000)

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Indian Health Service						
Indian health services	1,841,174,000	1,843,873,000	1,932,953,000	1,888,602,000	1,950,322,000	+109,148,000
Indian health facilities	257,538,000	274,476,000	313,175,000	263,516,000	289,465,000	+31,927,000
Total, Indian Health Service	2,098,712,000	2,118,349,000	2,246,128,000	2,152,118,000	2,239,787,000	+141,075,000
OTHER RELATED AGENCIES						
Office of Navajo and Hopi Indian Relocation						
Salaries and expenses	15,000,000	15,000,000	13,000,000	15,000,000	13,000,000	-2,000,000
Institute of American Indian and Alaska Native Culture and Arts Development						
Payment to the Institute	4,250,000	3,188,000	.....	3,188,000	4,250,000	.....
Smithsonian Institution						
Salaries and expenses	333,408,000	357,300,000	346,449,000	352,154,000	347,154,000	+13,746,000
Construction and improvements, National Zoological Park	3,850,000	4,500,000	4,500,000	4,400,000	4,400,000	+550,000
Repair and restoration of buildings	32,000,000	40,000,000	44,500,000	32,000,000	40,000,000	+8,000,000
Construction	33,000,000	18,000,000	2,000,000	16,000,000	16,000,000	-17,000,000
Total, Smithsonian Institution	402,258,000	419,800,000	397,449,000	404,554,000	407,554,000	+5,296,000
National Gallery of Art						
Salaries and expenses	55,837,000	57,938,000	57,938,000	57,938,000	57,938,000	+2,101,000
Repair, restoration and renovation of buildings	6,192,000	6,311,000	6,311,000	6,311,000	6,311,000	+119,000
Total, National Gallery of Art	62,029,000	64,249,000	64,249,000	64,249,000	64,249,000	+2,220,000
John F. Kennedy Center for the Performing Arts						
Operations and maintenance	11,375,000	13,000,000	12,187,000	13,000,000	12,187,000	+812,000
Construction	9,000,000	20,000,000	9,000,000	20,000,000	20,000,000	+11,000,000
Total, John F. Kennedy Center for the Performing Arts	20,375,000	33,000,000	21,187,000	33,000,000	32,187,000	+11,812,000
Woodrow Wilson International Center for Scholars						
Salaries and expenses	5,840,000	6,040,000	5,840,000	5,840,000	5,840,000	.....
National Foundation on the Arts and the Humanities						
National Endowment for the Arts						
Grants and administration	81,240,000	120,500,000	81,240,000	85,560,000	83,500,000	+2,260,000
Matching grants	16,760,000	15,500,000	16,760,000	14,500,000	14,500,000	-2,260,000
Total, National Endowment for the Arts	98,000,000	136,000,000	98,000,000	100,060,000	98,000,000	.....
National Endowment for the Humanities						
Grants and administration	96,800,000	122,000,000	96,800,000	96,800,000	96,800,000	.....
Matching grants	13,900,000	14,000,000	13,900,000	13,900,000	13,900,000	.....
Total, National Endowment for the Humanities	110,700,000	136,000,000	110,700,000	110,700,000	110,700,000	.....
Institute of Museum and Library Services/ Office of Museum Services						
Grants and administration	23,280,000	26,000,000	23,405,000	23,280,000	23,405,000	+125,000
Total, National Foundation on the Arts and the Humanities	231,980,000	298,000,000	232,105,000	234,040,000	232,105,000	+125,000
Commission of Fine Arts						
Salaries and expenses	907,000	898,000	898,000	898,000	898,000	-9,000
National Capital Arts and Cultural Affairs						
Grants	7,000,000	7,500,000	7,000,000	7,000,000	7,000,000	.....
Advisory Council on Historic Preservation						
Salaries and expenses	2,745,000	3,000,000	2,800,000	2,800,000	2,800,000	+55,000
National Capital Planning Commission						
Salaries and expenses	5,740,000	6,212,000	5,954,000	5,954,000	5,954,000	+214,000
United States Holocaust Memorial Council						
Holocaust Memorial Council	31,707,000	32,607,000	31,707,000	32,607,000	32,107,000	+400,000

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Presidio Trust						
Presidio trust fund		39,913,000	39,913,000	29,913,000	34,913,000	+34,913,000
Total, title II, related agencies:						
New budget (obligational) authority (net)	6,709,744,000	7,146,094,000	6,824,543,000	6,865,504,000	7,151,375,000	+441,631,000
Appropriations	(6,810,744,000)	(7,084,094,000)	(6,824,543,000)	(6,803,504,000)	(7,089,375,000)	(+278,631,000)
Emergency appropriations		(102,000,000)		(102,000,000)	(102,000,000)	(+102,000,000)
Rescission	(-101,000,000)					(+101,000,000)
Deferral		(-40,000,000)		(-40,000,000)	(-40,000,000)	(-40,000,000)
(By transfer)	(207,500,000)					(-207,500,000)
TITLE V - PRIORITY FEDERAL LAND ACQUISITIONS AND EXCHANGES						
Priority land acquisitions and exchanges	699,000,000					-699,000,000
TITLE VI - DEPARTMENT OF COMMERCE						
National Oceanic and Atmospheric Administration				6,600,000		
Scorekeeping adjustments	-255,665,000	-145,000,000	-61,000,000	-195,000,000	-120,500,000	+135,165,000
Grand total:						
New budget (obligational) authority (net)	13,853,828,000	14,123,257,000	13,428,504,000	13,462,706,000	13,985,151,000	+131,323,000
Appropriations	(13,984,828,000)	(14,091,257,000)	(13,458,504,000)	(13,430,706,000)	(13,953,151,000)	(-31,677,000)
Emergency appropriations		(102,000,000)		(102,000,000)	(102,000,000)	(+102,000,000)
Rescissions	(-131,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(+101,000,000)
Deferral		(-40,000,000)		(-40,000,000)	(-40,000,000)	(-40,000,000)
(Limitation on guaranteed loans)	(34,615,000)	(59,682,000)	(59,682,000)		(59,682,000)	(+25,067,000)
(By transfer)	(210,663,000)					(-210,663,000)
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management	1,136,001,000	1,233,659,000	1,175,557,000	1,200,697,000	1,190,695,000	+54,694,000
United States Fish and Wildlife Service	772,539,000	818,228,000	744,885,000	797,352,000	802,192,000	+29,653,000
National Park Service	1,655,134,000	1,753,102,000	1,606,079,000	1,661,531,000	1,748,224,000	+93,090,000
United States Geological Survey	760,358,000	806,883,000	774,838,000	772,115,000	797,896,000	+37,538,000
Minerals Management Service	150,314,000	128,520,000	122,520,000	123,393,000	124,020,000	-26,294,000
Office of Surface Mining Reclamation and Enforcement	273,061,000	276,956,000	278,765,000	275,966,000	278,769,000	+5,708,000
Bureau of Indian Affairs	1,703,269,000	1,844,136,000	1,713,517,000	1,701,999,000	1,746,428,000	+43,159,000
Departmental Offices	250,073,000	260,679,000	248,800,000	252,549,000	266,052,000	+15,979,000
Total, Title I - Department of the Interior	6,700,749,000	7,122,163,000	6,664,961,000	6,785,602,000	6,954,276,000	+253,527,000
TITLE II - RELATED AGENCIES						
Forest Service	2,565,550,000	2,656,809,000	2,522,884,000	2,622,534,000	2,751,853,000	+186,303,000
Department of Energy	1,255,651,000	1,441,529,000	1,233,429,000	1,251,809,000	1,316,878,000	+61,227,000
Indian Health Service	2,098,712,000	2,118,349,000	2,246,128,000	2,152,118,000	2,239,787,000	+141,075,000
Office of Navajo and Hopi Indian Relocation	15,000,000	15,000,000	13,000,000	15,000,000	13,000,000	-2,000,000
Institute of American Indian and Alaska Native Culture and Arts Development	4,250,000	3,188,000		3,188,000	4,250,000	
Smithsonian Institution	402,258,000	419,800,000	397,449,000	404,554,000	407,554,000	+5,296,000
National Gallery of Art	62,029,000	64,249,000	64,249,000	64,249,000	64,249,000	+2,220,000
John F. Kennedy Center for the Performing Arts	20,375,000	33,000,000	21,187,000	33,000,000	32,187,000	+11,812,000
Woodrow Wilson International Center for Scholars	5,840,000	6,040,000	5,840,000	5,840,000	5,840,000	
National Endowment for the Arts	98,000,000	136,000,000	98,000,000	100,060,000	98,000,000	
National Endowment for the Humanities	110,700,000	136,000,000	110,700,000	110,700,000	110,700,000	
Institute of Museum and Library Services	23,280,000	26,000,000	23,405,000	23,280,000	23,405,000	+125,000
Commission of Fine Arts	907,000	898,000	898,000	898,000	898,000	-9,000
National Capital Arts and Cultural Affairs	7,000,000	7,500,000	7,000,000	7,000,000	7,000,000	
Advisory Council on Historic Preservation	2,745,000	3,000,000	2,800,000	2,800,000	2,800,000	+55,000
National Capital Planning Commission	5,740,000	6,212,000	5,954,000	5,954,000	5,954,000	+214,000
Holocaust Memorial Council	31,707,000	32,607,000	31,707,000	32,607,000	32,107,000	+400,000
Presidio Trust		39,913,000	39,913,000	29,913,000	34,913,000	+34,913,000
Total, Title II - Related Agencies	6,709,744,000	7,146,094,000	6,824,543,000	6,865,504,000	7,151,375,000	+441,631,000
TITLE V - PRIORITY FEDERAL LAND ACQUISITIONS AND EXCHANGES						
Priority land acquisitions and exchanges	699,000,000					-699,000,000
TITLE VI - DEPARTMENT OF COMMERCE						
National Oceanic and Atmospheric Administration				6,600,000		
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments	-255,665,000	-145,000,000	-61,000,000	-195,000,000	-120,500,000	+135,165,000
Grand total	13,853,828,000	14,123,257,000	13,428,504,000	13,462,706,000	13,985,151,000	+131,323,000

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF LABOR						
Employment and Training Administration						
Training and employment services	4,982,737,000	5,073,373,000	3,750,873,000	4,772,375,000	4,885,324,000	-97,413,000
Advance appropriation, FY 1999/2000	250,000,000	250,000,000	.....	250,000,000	.....	-250,000,000
Community service employment for older Americans	440,200,000	440,200,000	440,200,000	440,200,000	440,200,000	.....
Federal unemployment benefits and allowances (indefinite)	349,000,000	360,700,000	360,700,000	360,700,000	360,700,000	+11,700,000
State unemployment insurance and employment service operations	186,796,000	162,097,000	152,097,000	162,097,000	162,097,000	-24,699,000
(Limitation on trust fund transfer)	(3,313,621,000)	(3,206,076,000)	(3,122,476,000)	(3,077,476,000)	(3,132,076,000)	(-181,545,000)
Advances to the Unemployment Trust Fund and other funds	392,000,000	357,000,000	357,000,000	357,000,000	357,000,000	-35,000,000
Program administration	90,397,000	97,262,000	93,995,000	93,995,000	94,410,000	+4,013,000
(Limitation on trust fund transfer)	(41,285,000)	(46,198,000)	(43,716,000)	(43,716,000)	(43,716,000)	(+2,431,000)
Total, Employment and Training Administration	6,691,130,000	6,740,632,000	5,154,865,000	6,436,367,000	6,299,731,000	-391,399,000
Pension and Welfare Benefits Administration						
Salaries and expenses	82,056,000	90,974,000	86,159,000	88,076,000	90,000,000	+7,944,000
Pension Benefit Guaranty Corporation						
Pension Benefit Guaranty Corporation fund:						
(Limitation of trust funds)	(10,433,000)	(10,958,000)	(10,958,000)	(10,958,000)	(10,958,000)	(+525,000)
Employment Standards Administration						
Salaries and expenses	300,027,000	314,267,000	310,409,000	309,409,000	312,076,000	+12,049,000
(Limitation on trust fund transfer)	(993,000)	(1,924,000)	(1,924,000)	(1,924,000)	(1,924,000)	(+931,000)
Special benefits	201,000,000	179,000,000	179,000,000	179,000,000	179,000,000	-22,000,000
Black Lung Disability Trust Fund:						
Definite	1,006,644,000	1,020,644,000	1,020,644,000	1,020,644,000	1,020,644,000	+14,000,000
Indefinite	356,000	356,000	356,000	356,000	356,000	.....
Total	1,007,000,000	1,021,000,000	1,021,000,000	1,021,000,000	1,021,000,000	+14,000,000
Total, Employment Standards Administration	1,508,027,000	1,514,267,000	1,510,409,000	1,509,409,000	1,512,076,000	+4,049,000
Occupational Safety and Health Administration						
Salaries and expenses	336,678,000	355,045,000	336,678,000	348,983,000	353,000,000	+16,322,000
Mine Safety and Health Administration						
Salaries and expenses	203,397,000	211,165,000	203,397,000	211,165,000	211,165,000	+7,768,000
Bureau of Labor Statistics						
Salaries and expenses	327,695,000	344,724,000	344,724,000	337,171,000	344,724,000	+17,029,000
(Limitation on trust fund transfer)	(52,848,000)	(54,146,000)	(54,146,000)	(53,718,000)	(54,146,000)	(+1,298,000)
Departmental Management						
Salaries and expenses	152,348,000	188,761,000	163,471,000	188,463,000	190,832,000	+38,484,000
(Limitation on trust fund transfer)	(282,000)	(299,000)	(299,000)	(299,000)	(299,000)	(+17,000)
Assistant Secretary for Veterans Employment and Training (limitation on trust fund transfer)	(181,979,000)	(182,719,000)	(182,719,000)	(182,719,000)	(182,719,000)	(+740,000)
Office of Inspector General	42,627,000	46,033,000	42,627,000	44,775,000	43,852,000	+1,225,000
(Limitation on trust fund transfer)	(3,645,000)	(3,772,000)	(3,645,000)	(3,725,000)	(3,648,000)	(+3,000)
Total	194,975,000	234,794,000	206,098,000	233,238,000	234,684,000	+39,709,000
Total, title I, Department of Labor	9,343,958,000	9,491,601,000	7,842,330,000	9,164,409,000	9,045,380,000	-298,578,000
Appropriations, fiscal year 1999	(9,093,958,000)	(9,241,601,000)	(7,842,330,000)	(8,914,409,000)	(9,045,380,000)	(-48,578,000)
Advance appropriations, FY 2000	(250,000,000)	(250,000,000)	.....	(250,000,000)	.....	(-250,000,000)
(Limitation on trust funds)	(3,605,086,000)	(3,506,092,000)	(3,419,883,000)	(3,374,535,000)	(3,429,486,000)	(-175,600,000)
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Health Resources and Services Administration						
Health resources and services	3,605,425,000	3,766,968,000	3,888,522,000	3,735,900,000	4,108,040,000	+502,615,000
Advance appropriation, FY 1999 / FY 2000	.....	.....	.....	150,000,000	.....	.....
Medical facilities guarantee and loan fund:						
Federal interest subsidies for medical facilities	6,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-5,000,000
Health education assistance loans program	1,020,000	.....	.....	.....	.....	-1,020,000
(Limitation on guaranteed loans)	(85,000,000)	.....	.....	.....	.....	(-85,000,000)
Administrative expenses	3,675,000	3,688,000	3,688,000	3,688,000	3,688,000	+13,000
Total	4,695,000	3,688,000	3,688,000	3,688,000	3,688,000	-1,007,000
Vaccine injury compensation program trust fund	45,600,000	54,600,000	54,600,000	54,600,000	54,600,000	+9,000,000
Vaccine injury compensation Pre-FY89 claims	.....	.....	.....	100,000,000	100,000,000	+100,000,000
Total, Health Resources and Services Administration	3,661,720,000	3,826,256,000	3,947,810,000	4,045,188,000	4,267,328,000	+605,608,000

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Centers for Disease Control and Prevention						
Disease control, research, and training	2,332,638,000	2,454,459,000	2,540,433,000	2,323,644,000	2,558,520,000	+225,882,000
Violent crime reduction trust fund	51,000,000	42,938,000	51,000,000	43,000,000	51,000,000	.....
Total, CDCP	2,383,638,000	2,497,397,000	2,591,433,000	2,366,644,000	2,609,520,000	+225,882,000
National Institutes of Health						
National Cancer Institute	2,542,559,000	2,528,760,000	2,787,830,000	2,927,187,000	2,927,187,000	+384,628,000
National Heart, Lung, and Blood Institute	1,582,924,000	1,641,524,000	1,720,344,000	1,793,697,000	1,793,697,000	+210,773,000
National Institute of Dental and Craniofacial Research	209,026,000	213,969,000	228,961,000	233,588,000	234,338,000	+25,312,000
National Institute of Diabetes and Digestive and Kidney Diseases	872,231,000	924,702,000	951,203,000	994,218,000	994,218,000	+121,987,000
National Institute of Neurological Disorders and Stroke	779,257,000	813,192,000	851,066,000	903,278,000	903,278,000	+124,021,000
National Institute of Allergy and Infectious Diseases	1,349,135,000	703,723,000	1,470,460,000	1,540,102,000	1,570,102,000	+220,967,000
National Institute of General Medical Sciences	1,063,959,000	1,111,439,000	1,150,840,000	1,197,825,000	1,197,825,000	+133,866,000
National Institute of Child Health and Human Development	673,509,000	654,248,000	728,817,000	748,482,000	750,982,000	+77,473,000
National Eye Institute	355,026,000	373,198,000	383,447,000	395,261,000	395,857,000	+40,831,000
National Institute of Environmental Health Sciences	329,492,000	349,021,000	356,047,000	375,743,000	375,743,000	+46,251,000
National Institute on Aging	518,312,000	554,391,000	565,574,000	596,521,000	596,521,000	+78,209,000
National Institute of Arthritis and Musculoskeletal and Skin Diseases	274,248,000	290,176,000	296,668,000	304,320,000	308,164,000	+33,916,000
National Institute on Deafness and Other Communication Disorders	200,321,000	213,184,000	216,995,000	229,887,000	229,887,000	+29,566,000
National Center for Nursing Research	63,478,000	62,229,000	68,198,000	69,834,000	69,834,000	+6,356,000
National Institute on Alcohol Abuse and Alcoholism	226,752,000	229,551,000	248,778,000	259,747,000	259,747,000	+32,995,000
National Institute on Drug Abuse	526,192,000	393,934,000	575,426,000	603,274,000	603,274,000	+77,082,000
National Institute of Mental Health	748,841,000	699,679,000	815,707,000	861,208,000	861,208,000	+112,367,000
National Human Genome Research Institute	217,297,000	236,275,000	246,111,000	249,891,000	264,892,000	+47,595,000
National Center for Research Resources	453,035,000	421,721,000	513,948,000	554,819,000	554,819,000	+101,784,000
John E. Fogarty International Center	28,236,000	19,045,000	30,367,000	35,426,000	35,426,000	+7,190,000
National Library of Medicine	160,885,000	170,738,000	176,492,000	181,309,000	181,309,000	+20,424,000
Office of the Director	241,101,000	212,306,000	254,145,000	302,947,000	306,559,000	+65,458,000
Buildings and facilities	206,570,000	218,209,000	224,599,000	223,822,000	197,519,000	-9,051,000
Advance appropriation, FY 2000	.....	40,000,000	.....	40,000,000	40,000,000	+40,000,000
Office of AIDS Research	.....	1,728,099,000	.....	.....	.....	.....
Total, N.I.H	13,622,386,000	14,763,313,000	14,862,023,000	15,582,386,000	15,612,386,000	+1,990,000,000
Advance appropriations, FY 2000	.....	40,000,000	.....	40,000,000	40,000,000	+40,000,000
Substance Abuse and Mental Health Services Administration						
Substance abuse and mental health services	2,147,156,000	2,274,643,000	2,458,005,000	2,151,643,000	2,488,005,000	+340,849,000
Retirement Pay and Medical Benefits for Commissioned Officers						
Expenses (indefinite)	190,739,000	201,635,000	201,635,000	201,635,000	201,635,000	+10,896,000
Agency for Health Care Policy and Research						
Health care policy and research	90,304,000	100,408,000	100,408,000	50,000,000	100,408,000	+10,104,000
1% evaluation funding (non-add)	(56,206,000)	(70,647,000)	(70,647,000)	(121,055,000)	(70,647,000)	(+14,441,000)
Total, Public Health Service	22,095,943,000	23,663,652,000	24,161,314,000	24,247,496,000	25,279,282,000	+3,183,339,000
Advance appropriations, FY 2000	.....	40,000,000	.....	40,000,000	40,000,000	+40,000,000
Health Care Financing Administration						
Grants to States for Medicaid	100,959,559,000	107,916,644,000	107,916,644,000	107,916,644,000	107,916,644,000	+6,957,085,000
Carryover balance	-6,890,359,000	-5,522,222,000	-5,522,222,000	-5,522,222,000	-5,522,222,000	+1,368,137,000
Appropriation available from prior year advance	-27,988,993,000	-27,800,689,000	-27,800,689,000	-27,800,689,000	-27,800,689,000	+188,304,000
Total, adjusted appropriation	66,080,207,000	74,593,733,000	74,593,733,000	74,593,733,000	74,593,733,000	+8,513,526,000
New advance, 1st quarter, FY 2000	27,800,689,000	28,733,605,000	28,733,605,000	28,733,605,000	28,733,605,000	+932,916,000
Total, grants to States for Medicaid	93,880,896,000	103,327,338,000	103,327,338,000	103,327,338,000	103,327,338,000	+9,446,442,000
Payments to health care trust funds	60,904,000,000	62,953,000,000	62,953,000,000	62,953,000,000	62,953,000,000	+2,049,000,000
Program management (limitation on trust fund transfer)	(1,788,907,000)	(1,942,500,000)	(1,942,500,000)	(1,885,550,000)	(1,946,500,000)	(+157,593,000)
Total, Health Care Financing Administration	154,784,896,000	166,280,338,000	166,280,338,000	166,280,338,000	166,280,338,000	+11,495,442,000
Appropriations, fiscal year 1999	(126,984,207,000)	(137,546,733,000)	(137,546,733,000)	(137,546,733,000)	(137,546,733,000)	(+10,562,526,000)
Advance appropriations, FY 2000	(27,800,689,000)	(28,733,605,000)	(28,733,605,000)	(28,733,605,000)	(28,733,605,000)	(+932,916,000)
(Limitation on trust funds)	(1,788,907,000)	(1,942,500,000)	(1,942,500,000)	(1,885,550,000)	(1,946,500,000)	(+157,593,000)
Administration for Children and Families						
Family support payments to States:						
Payments	.....	2,649,000,000	2,574,000,000	2,649,000,000	2,649,000,000	+2,649,000,000
Less funds advanced in previous years	.....	-660,000,000	-660,000,000	-660,000,000	-660,000,000	-660,000,000
Total, adjusted appropriation	.....	1,989,000,000	1,914,000,000	1,989,000,000	1,989,000,000	+1,989,000,000
New advance, 1st quarter, FY 2000	660,000,000	750,000,000	750,000,000	750,000,000	750,000,000	+90,000,000
Total, family support payments	660,000,000	2,739,000,000	2,664,000,000	2,739,000,000	2,739,000,000	+2,079,000,000

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Low income home energy assistance program:						
Contingent emergency funding	(300,000,000)	(300,000,000)		(300,000,000)	(300,000,000)	
Adjustment			-1,100,000,000			
Advance appropriation, FY 1999 / FY 2000	1,100,000,000	1,087,000,000	1,100,000,000	1,100,000,000	1,100,000,000	
Total	1,100,000,000	1,087,000,000		1,100,000,000	1,100,000,000	
Refugee and entrant assistance	415,000,000	415,000,000	415,165,000	415,000,000	415,000,000	
Child care and development block grant	85,672,000	176,672,000				-85,672,000
Advance appropriation, FY 2000	1,000,000,000	1,182,672,000	1,000,000,000	1,182,672,000	1,182,672,000	+182,672,000
Social Services Block Grant	2,299,000,000	1,909,000,000	2,299,000,000	1,909,000,000	1,909,000,000	-390,000,000
Children and families service programs	5,676,059,000	5,946,180,000	5,841,820,000	4,647,784,000	6,032,087,000	+356,028,000
Violent crime reduction trust fund	92,831,000	101,000,000	105,000,000	101,000,000	105,000,000	+12,169,000
Rescission of permanent appropriations	-21,000,000		-21,000,000	-21,000,000	-21,000,000	
Advance appropriation, FY 1999 / FY 2000				1,365,000,000		
Total	5,747,890,000	6,047,180,000	5,925,820,000	6,092,784,000	6,116,087,000	+368,197,000
Family preservation and support	255,000,000	275,000,000	275,000,000	275,000,000	275,000,000	+20,000,000
Payments to States for foster care and adoption assistance	4,311,000,000	5,141,500,000	4,921,500,000	5,121,500,000	4,921,500,000	+610,500,000
Less funds advanced in previous years	-1,111,000,000	-1,157,500,000	-1,157,500,000	-1,157,500,000	-1,157,500,000	-46,500,000
Total, adjusted appropriation	3,200,000,000	3,984,000,000	3,764,000,000	3,964,000,000	3,764,000,000	+564,000,000
New advance, 1st quarter, FY 2000	1,157,500,000	1,355,000,000	1,355,000,000	1,355,000,000	1,355,000,000	+197,500,000
Total, payments to States for foster care	4,357,500,000	5,339,000,000	5,119,000,000	5,319,000,000	5,119,000,000	+761,500,000
Total, Administration for Children and Families	15,900,062,000	19,170,524,000	17,697,985,000	19,032,456,000	18,855,759,000	+2,955,697,000
Administration on aging	871,020,000	871,050,000	861,020,000	876,050,000	882,020,000	+11,000,000
Office of the Secretary						
General departmental management	171,268,000	212,092,000	166,662,000	168,309,000	188,051,000	+16,783,000
(Limitation on trust fund transfer)	(5,851,000)	(5,851,000)	(5,851,000)	(5,851,000)	(5,851,000)	
Office of the Inspector General	31,855,000	29,000,000	29,000,000	29,000,000	29,000,000	-2,855,000
Office for Civil Rights	16,345,000	17,345,000	17,345,000	17,345,000	17,345,000	+1,000,000
(Limitation on trust fund transfer)	(3,314,000)	(3,314,000)	(3,314,000)	(3,314,000)	(3,314,000)	
Policy research	13,974,000	14,000,000	14,000,000	14,000,000	14,000,000	+26,000
Public Health and Social Services Emergency Fund:						
Contingent emergency funding				(300,000,000)	(216,922,000)	(+216,922,000)
Total, Office of the Secretary	233,442,000	272,437,000	227,007,000	228,654,000	248,396,000	+14,954,000
(Limitation on trust funds)	(9,165,000)	(9,165,000)	(9,165,000)	(9,165,000)	(9,165,000)	
Net total, title II, Department of Health and Human Services	193,885,363,000	210,298,001,000	209,227,864,000	210,854,994,000	211,585,795,000	+17,700,432,000
Appropriations, fiscal year 1999	(162,167,174,000)	(177,149,724,000)	(176,289,059,000)	(176,178,717,000)	(178,424,518,000)	(+16,257,344,000)
Advance appropriations, FY 2000	(31,718,189,000)	(33,148,277,000)	(32,938,605,000)	(34,676,277,000)	(33,161,277,000)	(+1,443,088,000)
(Limitation on trust funds)	(1,798,072,000)	(1,951,665,000)	(1,951,665,000)	(1,694,715,000)	(1,955,665,000)	(+157,593,000)
TITLE III - DEPARTMENT OF EDUCATION						
Education reform	1,275,035,000	1,347,000,000	861,500,000	1,244,500,000	1,314,100,000	+39,065,000
Education for the disadvantaged	6,573,441,000	7,047,506,000	6,607,746,000	5,834,781,000	2,222,134,000	-4,351,307,000
Advance appropriation, FY 1999/2000	1,448,386,000	1,448,386,000	1,448,386,000	2,500,000,000	6,148,386,000	+4,700,000,000
Total	8,021,827,000	8,495,892,000	8,056,132,000	8,334,781,000	8,370,520,000	+348,693,000
Impact aid	808,000,000	696,000,000	848,000,000	810,000,000	864,000,000	+56,000,000
School improvement programs	1,541,188,000	1,475,800,000	1,542,334,000	1,655,188,000	2,811,134,000	+1,269,946,000
Reading excellence		50,000,000			260,000,000	+260,000,000
Indian education	59,750,000	66,000,000	66,000,000	66,000,000	66,000,000	+6,250,000
Bilingual and immigrant education	354,000,000	387,000,000	354,000,000	354,000,000	380,000,000	+26,000,000
Special education	4,810,646,000	4,845,646,000	5,104,146,000	5,112,946,000	5,124,146,000	+313,500,000
Rehabilitation services and disability research	2,555,086,000	2,615,266,000	2,616,640,000	2,615,266,000	2,622,584,000	+67,498,000
Assistive technology	36,109,000	30,000,000	30,000,000	30,000,000	30,000,000	-6,109,000
Total	2,591,195,000	2,645,266,000	2,646,640,000	2,645,266,000	2,652,584,000	+61,389,000
Special Institutions for Persons With Disabilities:						
American Printing House for the Blind	8,186,000	8,256,000	8,661,000	8,661,000	8,661,000	+475,000
National Technical Institute for the Deaf	44,141,000	44,791,000	44,791,000	45,500,000	45,500,000	+1,359,000
Gallaudet University	81,000,000	83,480,000	83,480,000	83,480,000	83,480,000	+2,480,000
Total	133,327,000	136,527,000	136,932,000	137,641,000	137,641,000	+4,314,000
Vocational and adult education	1,507,698,000	1,544,147,000	1,532,247,000	1,502,478,000	1,539,247,000	+31,549,000
Student financial assistance	8,978,934,000	9,203,000,000	9,672,654,000	10,172,551,000	9,348,000,000	+369,066,000
Federal family education loan program account	46,482,000	48,482,000	48,482,000	46,482,000	46,482,000	
Higher education	943,738,000	1,288,405,000	944,198,000	1,138,944,000	1,307,846,000	+364,108,000

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Howard University	210,000,000	210,000,000	214,489,000	210,000,000	214,489,000	+4,489,000
College housing and academic facilities loans program	698,000	698,000	698,000	698,000	698,000	.....
Historically Black College and University capital financing, program account	104,000	96,000	196,000	96,000	96,000	-8,000
Education research, statistics, and improvement	431,438,000	689,367,000	447,667,000	479,338,000	664,867,000	+233,429,000
Departmental Management:						
Program administration	343,914,000	362,000,000	362,000,000	362,000,000	362,000,000	+18,086,000
Office for Civil Rights	61,500,000	68,000,000	61,500,000	63,500,000	66,000,000	+4,500,000
Office of the Inspector General	30,242,000	31,242,000	30,242,000	31,242,000	31,242,000	+1,000,000
Total	435,656,000	461,242,000	453,742,000	456,742,000	459,242,000	+23,586,000
Total, title III, Department of Education	32,149,716,000	33,590,568,000	32,930,057,000	34,367,651,000	35,561,092,000	+3,411,376,000
Appropriations, fiscal year 1999	(30,701,330,000)	(32,142,182,000)	(31,481,671,000)	(31,867,651,000)	(29,412,706,000)	(-1,288,624,000)
Advance appropriations, FY 2000	(1,448,386,000)	(1,448,386,000)	(1,448,386,000)	(2,500,000,000)	(6,148,386,000)	(+4,700,000,000)
TITLE IV - RELATED AGENCIES						
Armed Forces Retirement Home:						
Operation and maintenance (trust fund limitation)	55,452,000	55,028,000	55,028,000	55,028,000	55,028,000	-424,000
Capital program (trust fund limitation)	13,217,000	15,717,000	15,717,000	15,717,000	15,717,000	+2,500,000
Total, AFSH	68,669,000	70,745,000	70,745,000	70,745,000	70,745,000	+2,076,000
Corporation for National and Community Service:						
Domestic Volunteer Service Programs, operating expenses	256,604,000	278,422,000	251,369,000	275,039,000	276,039,000	+19,435,000
Corporation for Public Broadcasting:						
Advance appropriation, fiscal year 2001	300,000,000	340,000,000	340,000,000	340,000,000	340,000,000	+40,000,000
Unauthorized capital program, FY 1999	.....	50,000,000	.....	15,000,000	15,000,000	+15,000,000
Federal Mediation and Conciliation Service	33,481,000	34,620,000	34,620,000	34,620,000	34,620,000	+1,139,000
Federal Mine Safety and Health Review Commission	6,060,000	6,060,000	6,060,000	6,060,000	6,060,000	.....
Institute of Museum and Library Services	146,340,000	146,340,000	146,340,000	156,340,000	166,175,000	+19,835,000
Medicare payment advisory commission (trust funds)	(7,015,000)	(7,015,000)	(7,015,000)	(7,015,000)	(7,015,000)	.....
National Commission on Libraries & Information Science	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	.....
National Council on Disability	1,793,000	2,344,000	2,344,000	2,344,000	2,344,000	+551,000
National Education Goals Panel	2,000,000	2,100,000	2,100,000	2,100,000	2,100,000	+100,000
National Labor Relations Board	174,661,000	184,451,000	174,661,000	184,451,000	184,451,000	+9,790,000
National Mediation Board	8,600,000	8,400,000	8,400,000	8,400,000	8,400,000	-200,000
Occupational Safety and Health Review Commission	7,900,000	8,050,000	8,100,000	8,100,000	8,100,000	+200,000
Railroad Retirement Board:						
Dual benefits payments account	193,500,000	180,000,000	180,000,000	178,000,000	178,000,000	-15,500,000
Federal payments to Railroad Retirement Accounts	50,000	150,000	150,000	150,000	150,000	+100,000
Limitation on trust funds:						
Administrative expenses	(87,228,000)	(86,000,000)	(86,000,000)	(90,000,000)	(90,000,000)	(+2,772,000)
Office of Inspector General	(5,794,000)	(5,400,000)	(5,400,000)	(5,600,000)	(5,600,000)	(-194,000)
Total	193,550,000	180,150,000	180,150,000	178,150,000	178,150,000	-15,400,000
Social Security Administration						
Payments to social security trust funds	20,308,000	19,689,000	19,689,000	19,689,000	19,689,000	-619,000
Special benefits for disabled coal miners:						
Direct appropriation	586,090,000	542,803,000	542,803,000	542,803,000	542,803,000	-43,287,000
Appropriation available from prior year advance	-160,000,000	-160,000,000	-160,000,000	-160,000,000	-160,000,000	.....
Total, fiscal year 1999 appropriation	426,090,000	382,803,000	382,803,000	382,803,000	382,803,000	-43,287,000
New advance, 1st quarter, FY 2000	160,000,000	141,000,000	141,000,000	141,000,000	141,000,000	-19,000,000
Total, special benefits for disabled coal miners	586,090,000	523,803,000	523,803,000	523,803,000	523,803,000	-62,287,000
Supplemental security income program:						
Mandatory	23,773,000,000	28,111,000,000	28,111,000,000	28,118,000,000	28,118,000,000	+4,345,000,000
Discretionary	2,027,000,000	2,064,000,000	2,064,000,000	2,100,000,000	2,114,000,000	+87,000,000
Investment proposals	50,000,000	.....	.....	.....	.....	-50,000,000
Subtotal	25,850,000,000	30,175,000,000	30,175,000,000	30,218,000,000	30,232,000,000	+4,382,000,000
Appropriation available from prior year advance	-9,690,000,000	-8,680,000,000	-8,680,000,000	-8,680,000,000	-8,680,000,000	+1,010,000,000
Total, fiscal year 1999 appropriation	16,160,000,000	21,495,000,000	21,495,000,000	21,538,000,000	21,552,000,000	+5,392,000,000
Additional CDR funding	75,000,000	177,000,000	177,000,000	227,000,000	177,000,000	+102,000,000
User fee activities	35,000,000	75,000,000	75,000,000	75,000,000	75,000,000	+40,000,000
Non-disability redeterminations	.....	50,000,000	.....	.....	.....	.....
SSI reforms (welfare)	100,000,000	.....	.....	.....	.....	-100,000,000
New advance, 1st quarter, FY 2000	8,680,000,000	9,550,000,000	9,550,000,000	9,550,000,000	9,550,000,000	+870,000,000
Total, supplemental security income program	25,050,000,000	31,347,000,000	31,297,000,000	31,390,000,000	31,354,000,000	+6,304,000,000

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Limitation on administrative expenses: Trust funds	(6,409,040,000)	(6,448,000,000)	(6,379,000,000)	(6,462,000,000)	(6,426,000,000)	(+16,960,000)
Office of the Inspector General	10,164,000	12,000,000	12,000,000	11,082,000	12,000,000	+1,836,000
(Limitation on trust fund transfer)	(38,260,000)	(40,000,000)	(44,000,000)	(39,130,000)	(44,000,000)	(+5,740,000)
Adjustment: Trust fund transfers from general revenues	(-2,287,000,000)	(-2,366,000,000)	(-2,316,000,000)	(-2,402,000,000)	(-2,366,000,000)	(-79,000,000)
Total, Social Security Administration	25,666,562,000	31,902,492,000	31,852,492,000	31,944,574,000	31,909,492,000	+6,242,930,000
Appropriations, fiscal year 1999	(16,826,562,000)	(22,211,492,000)	(22,161,492,000)	(22,253,574,000)	(22,218,492,000)	(+5,391,930,000)
Advance appropriations, FY 2000	(8,840,000,000)	(9,691,000,000)	(9,691,000,000)	(9,691,000,000)	(9,691,000,000)	(+851,000,000)
(Limitation on trust funds)	(4,160,300,000)	(4,122,000,000)	(4,107,000,000)	(4,099,130,000)	(4,104,000,000)	(-56,300,000)
United States Institute of Peace: Operating expenses	11,160,000	11,495,000	11,160,000	11,495,000	12,160,000	+1,000,000
Total, title IV, Related agencies	26,878,380,000	33,226,669,000	33,089,541,000	33,238,418,000	33,214,836,000	+6,336,456,000
Appropriations, fiscal year 1999	(17,738,380,000)	(23,195,669,000)	(23,058,541,000)	(23,207,418,000)	(23,183,836,000)	(+5,445,456,000)
Advance appropriations, FY 2000	(8,840,000,000)	(9,691,000,000)	(9,691,000,000)	(9,691,000,000)	(9,691,000,000)	(+851,000,000)
Advance appropriations, FY 2001	(300,000,000)	(340,000,000)	(340,000,000)	(340,000,000)	(340,000,000)	(+40,000,000)
(Limitation on trust funds)	(4,260,337,000)	(4,220,415,000)	(4,205,415,000)	(4,201,745,000)	(4,206,615,000)	(-53,722,000)
Administrative offset	.....	.....	.....	-33,000,000	.....	.....
Net grand total	262,257,417,000	286,606,839,000	283,089,592,000	287,592,472,000	289,407,103,000	+27,149,686,000
Appropriations, fiscal year 1999	(219,700,842,000)	(241,729,176,000)	(238,671,601,000)	(240,135,195,000)	(240,066,440,000)	(+20,365,598,000)
Advance appropriations, FY 2000	(42,256,575,000)	(44,537,663,000)	(44,077,991,000)	(47,117,277,000)	(49,000,663,000)	(+6,744,088,000)
Advance appropriations, FY 2001	(300,000,000)	(340,000,000)	(340,000,000)	(340,000,000)	(340,000,000)	(+40,000,000)
Emergency funding (not incl in grand total)	(300,000,000)	(300,000,000)	.....	(600,000,000)	(516,922,000)	(+216,922,000)
(Limitation on trust funds)	(9,663,495,000)	(9,678,172,000)	(9,576,963,000)	(9,270,995,000)	(9,591,766,000)	(-71,729,000)
CONGRESSIONAL BUDGET RECAP						
Total appropriations in bill	262,257,417,000	286,606,839,000	283,089,592,000	287,592,472,000	289,407,103,000	+27,149,686,000
Mandatory, total in bill	190,473,289,000	210,857,181,000	210,953,555,000	210,944,181,000	210,751,499,000	+20,278,210,000
Less advances for subsequent years	-38,458,189,000	-40,529,605,000	-40,529,605,000	-40,529,605,000	-40,529,605,000	-2,071,416,000
Plus advances provided in prior years	38,949,993,000	38,458,189,000	38,458,189,000	38,458,189,000	38,458,189,000	-491,804,000
NAFTA Activities	.....	.....	.....	.....	-44,000,000	-44,000,000
* TOTAL MANDATORY	190,965,093,000	208,785,765,000	208,882,139,000	208,872,765,000	208,636,083,000	+17,670,990,000
Discretionary, total in bill	71,784,128,000	75,749,658,000	72,136,037,000	76,648,291,000	78,655,604,000	+6,871,476,000
Less advances for subsequent years	-4,098,386,000	-4,348,058,000	-3,888,386,000	-6,927,672,000	-8,811,058,000	-4,712,672,000
Plus advances provided in prior years	3,485,386,000	4,258,386,000	4,258,386,000	4,258,386,000	4,258,386,000	+773,000,000
Scorekeeping adjustments:						
Trust funds considered budget authority	9,663,495,000	9,678,172,000	9,576,963,000	9,270,995,000	9,591,766,000	-71,729,000
Trust fund advances for subsequent years	-40,000,000	40,000,000	40,000,000	40,000,000	40,000,000	+80,000,000
Adjustment for FY98	-522,000	.....	.....	.....	.....	+522,000
Child care welfare reform rescission	-3,000,000	.....	.....	.....	.....	+3,000,000
Adjustment for leg cap Title XX SSBGs	-81,000,000	-471,000,000	-81,000,000	-471,000,000	-471,000,000	-390,000,000
SSI receipts	-35,000,000	-75,000,000	-75,000,000	-75,000,000	-75,000,000	-40,000,000
MN & WY disproportionate share hospitals	8,000,000	.....	.....	.....	.....	-8,000,000
NIH foundation	1,000,000	.....	.....	.....	.....	-1,000,000
Guaranty reserve recapture	-280,000,000	.....	.....	.....	.....	+280,000,000
Federal student direct loans	10,000,000	.....	.....	.....	.....	-10,000,000
Social security claimant representative offset	.....	-19,000,000	.....	.....	.....	.....
Projected HCFA user fee collections	.....	-264,500,000	.....	.....	.....	.....
Viagra limitation	.....	.....	-40,000,000	.....	.....	.....
NAFTA Activities	.....	.....	.....	.....	44,000,000	+44,000,000
* TOTAL DISCRETIONARY	80,414,101,000	84,548,658,000	81,927,000,000	82,744,000,000	83,232,698,000	+2,818,597,000

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF TRANSPORTATION						
Office of the Secretary						
Salaries and expenses	61,000,000	61,930,000	.....	.....	.....	-61,000,000
Immediate Office of the Secretary	.....	.....	1,623,800	1,768,600	1,624,000	+1,624,000
Immediate Office of the Deputy Secretary	.....	.....	585,000	554,700	585,000	+585,000
Office of the General Counsel	.....	.....	8,895,000	8,645,000	8,750,000	+8,750,000
Office of the Assistant Secretary for Policy	.....	.....	2,667,200	2,479,500	2,808,000	+2,808,000
Office of the Assistant Secretary for Aviation and International Affairs	.....	.....	7,002,200	6,686,300	7,650,300	+7,650,300
Office of the Assistant Secretary for Budget and Programs	.....	.....	6,069,300	5,687,800	6,349,000	+6,349,000
Office of the Assistant Secretary for Governmental Affairs	.....	.....	1,672,000	1,600,000	1,940,600	+1,940,600
Office of the Assistant Secretary for Administration	.....	.....	19,147,100	19,570,200	19,721,600	+19,721,600
Office of Public Affairs	.....	.....	1,377,600	1,656,600	1,565,500	+1,565,500
Executive Secretariat	.....	.....	1,046,900	1,088,500	1,046,900	+1,046,900
Board of Contract Appeals	.....	.....	675,500	460,000	561,100	+561,100
Office of Small and Disadvantaged Business Utilization	.....	.....	839,200	1,000,000	1,020,400	+1,020,400
Office of Intelligence and Security	.....	.....	961,100	935,000	1,036,100	+1,036,100
Office of the Chief Information Officer	.....	.....	4,400,000	4,652,700	4,874,600	+4,874,600
Office of Intermodalism	.....	.....	1,018,000	1,000,000	956,900	+956,900
Subtotal	61,000,000	61,930,000	57,979,900	57,784,900	60,490,000	-510,000
Office of civil rights	5,574,000	6,966,000	6,966,000	5,562,000	6,966,000	+1,392,000
Transportation planning, research, and development	4,400,000	4,710,000	3,035,000	8,328,400	9,000,000	+4,600,000
Transportation Administrative Service Center	(121,800,000)	.....	(109,124,000)	(158,468,000)	(124,124,000)	(+2,324,000)
Payments to Air Carriers (rescission)	(-2,500,000)	.....	.....	.....	.....	(+2,500,000)
Payments to air carriers (Airport and Airway Trust Fund):						
Rescission of contract authorization	(-41,600,000)	.....	.....	.....	.....	(+41,600,000)
Minority business resource center program	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000	.....
(Limitation on direct loans)	(15,000,000)	(13,775,000)	(13,775,000)	(13,775,000)	(13,775,000)	(-1,225,000)
Minority business outreach	2,900,000	2,900,000	2,900,000	2,900,000	2,900,000	.....
Amtrak Reform Council	2,450,000	.....	450,000	450,000	.....	-2,450,000
Total, Office of the Secretary	78,224,000	78,406,000	73,230,900	76,925,300	81,256,000	+3,032,000
Coast Guard						
Operating expenses	2,415,400,000	2,462,705,000	2,400,000,000	2,461,603,000	2,400,000,000	-15,400,000
Defense function (050)	300,000,000	309,000,000	300,000,000	300,000,000	300,000,000	.....
Acquisition, construction, and improvements:						
Offsetting collections	-9,000,000	-1,000,000	.....	.....	.....	+9,000,000
Vessels	212,100,000	234,573,000	227,913,000	234,553,000	219,923,000	+7,823,000
Aircraft	25,800,000	37,131,000	39,400,000	55,131,000	35,700,000	+9,900,000
Other equipment	44,650,000	33,969,000	30,314,000	44,789,000	36,569,000	-8,081,000
Shore facilities & aids to navigation facilities	68,300,000	53,650,000	42,923,000	43,250,000	54,823,000	-13,477,000
Personnel and related support	47,000,000	48,450,000	48,450,000	48,450,000	48,450,000	+1,450,000
Subtotal, A C & I appropriations	388,850,000	406,773,000	389,000,000	426,173,000	395,465,000	+6,615,000
Environmental compliance and restoration	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	.....
Alteration of bridges	17,000,000	.....	12,000,000	20,000,000	14,000,000	-3,000,000
Retired pay	653,196,000	684,000,000	684,000,000	684,000,000	684,000,000	+30,804,000
Reserve training	67,000,000	67,000,000	69,000,000	67,000,000	69,000,000	+2,000,000
Research, development, test, and evaluation	19,000,000	18,300,000	12,000,000	17,461,000	12,000,000	-7,000,000
Boat safety (Aquatic Resources Trust Fund)	35,000,000	.....	.....	.....	.....	-35,000,000
Total, Coast Guard	3,916,446,000	3,968,778,000	3,887,000,000	3,997,237,000	3,895,465,000	-20,981,000
Federal Aviation Administration						
Operations	5,301,934,000	5,588,130,000	5,532,558,000	5,538,259,000	5,562,558,000	+260,624,000
Facilities and equipment (Airport and Airway Trust Fund)	1,900,477,000	2,130,000,000	2,000,000,000	2,044,683,269	1,900,000,000	-477,000
Research, engineering, and development (Airport and Airway Trust Fund)	199,183,000	290,000,000	145,000,000	173,627,000	150,000,000	-49,183,000
Grants-in-aid for airports (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(1,600,000,000)	(1,600,000,000)	(1,600,000,000)	(1,600,000,000)	(1,600,000,000)	.....
(Limitation on obligations)	(1,700,000,000)	(1,700,000,000)	(1,800,000,000)	(2,100,000,000)	(1,950,000,000)	(+250,000,000)
Rescission of contract authorization	(-707,000,000)	.....	.....	.....	.....	(+707,000,000)
Facilities, equipment and development (rescission)	(-500,000)	.....	.....	.....	.....	(+500,000)
Total, Federal Aviation Administration	7,401,594,000	8,008,130,000	7,677,558,000	7,756,569,269	7,612,558,000	+210,964,000
(Limitations on obligations)	(1,700,000,000)	(1,700,000,000)	(1,800,000,000)	(2,100,000,000)	(1,950,000,000)	(+250,000,000)
Total budgetary resources	(9,101,594,000)	(9,708,130,000)	(9,477,558,000)	(9,856,569,269)	(9,562,558,000)	(+460,964,000)

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Highway Administration						
Limitation on general operating expenses	(552,266,000)	(521,883,000)	(318,733,000)	(320,413,000)	(327,413,000)	(-224,853,000)
Limitation on transportation research			(409,150,000)			
Appalachian Development Highway system	300,000,000			200,000,000		-300,000,000
Federal-aid highways (Highway Trust Fund):						
(Limitation on obligations)	(21,500,000,000)	(21,500,000,000)	(25,511,000,000)	(25,511,000,000)	(25,511,000,000)	(+4,011,000,000)
(Exempt obligations)	(1,597,000,000)	(1,265,000,000)	(1,211,614,000)	(1,207,903,000)	(1,211,614,000)	(-385,386,000)
(Liquidation of contract authorization)	(20,800,000,000)	(23,000,000,000)	(24,000,000,000)	(24,000,000,000)	(24,000,000,000)	(+3,200,000,000)
Emergency relief program (emergency funding)	(259,000,000)					(-259,000,000)
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(85,000,000)	(100,000,000)		(100,000,000)		(-85,000,000)
(Limitation on obligations)	(84,825,000)	(100,000,000)		(100,000,000)		(-84,825,000)
State infrastructure banks (Highway Trust Fund)		150,000,000				
Transportation infrastructure credit enhancement program (Highway Trust Fund)		100,000,000				
Total, Federal Highway Administration	300,000,000	250,000,000		200,000,000		-300,000,000
(Limitations on obligations)	(21,584,825,000)	(21,800,000,000)	(25,511,000,000)	(25,611,000,000)	(25,511,000,000)	(+3,926,175,000)
(Exempt obligations)	(1,597,000,000)	(1,265,000,000)	(1,211,614,000)	(1,207,903,000)	(1,211,614,000)	(-385,386,000)
Total budgetary resources	(23,481,825,000)	(23,115,000,000)	(26,722,614,000)	(27,018,903,000)	(26,722,614,000)	(+3,240,789,000)
National Highway Traffic Safety Administration						
Operations and research (general fund)	74,901,000		87,400,000			-74,901,000
Operations and research (Highway Trust Fund)				87,400,000	87,400,000	+87,400,000
Subtotal	74,901,000		87,400,000	87,400,000	87,400,000	+12,499,000
Operations and research (highway trust fund):						
(Limitation on obligations)	(72,061,000)	(172,902,000)	(72,000,000)	(72,000,000)	(72,000,000)	(-61,000)
(Liquidation of contract authorization)			(72,000,000)		(72,000,000)	(+72,000,000)
National Driver Register (highway trust fund)			2,000,000	2,000,000	2,000,000	+2,000,000
Subtotal, Operations and research	(146,962,000)	(172,902,000)	(161,400,000)	(161,400,000)	(161,400,000)	(+14,438,000)
Highway traffic safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(186,000,000)	(197,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+14,000,000)
(Limitation on obligations):						
Highway safety programs (Sec. 402)	(149,700,000)	(166,700,000)	(150,000,000)	(150,000,000)	(150,000,000)	(+300,000)
National Driver Register (Sec. 402)	2,300,000	2,300,000				-2,300,000
Occupant protection incentive grants (Sec. 405)		(20,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(+10,000,000)
Drugged driving incentive grants		(5,000,000)				
Alcohol-impaired driving countermeasures grants (Sec. 410)	(34,500,000)	(39,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	(+500,000)
State Highway safety data grants (Sec. 411)			(5,000,000)	(5,000,000)	(5,000,000)	(+5,000,000)
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)			(100,000,000)		(100,000,000)	(+100,000,000)
(Limitation on obligations)			(100,000,000)		(100,000,000)	(+100,000,000)
Total, National Highway Traffic Safety Administration	77,201,000	2,300,000	89,400,000	89,400,000	89,400,000	+12,199,000
(Limitations on obligations)	(256,261,000)	(403,602,000)	(372,000,000)	(272,000,000)	(372,000,000)	(+115,739,000)
Total budgetary resources	(333,462,000)	(405,902,000)	(461,400,000)	(361,400,000)	(461,400,000)	(+127,938,000)
Federal Railroad Administration						
Office of the Administrator	20,290,000	21,573,000	21,367,000	21,020,000	21,215,000	+925,000
Railroad safety	57,067,000	61,959,000	60,948,000	61,876,000	61,488,000	+4,421,000
Nationwide differential global positioning system		3,000,000				
Railroad research and development	20,758,000	20,757,000	20,477,000	25,760,000	22,364,000	+1,606,000
Northeast corridor improvement program	250,000,000					-250,000,000
(Pennsylvania Station Redevelopment Project)	(12,000,000)					(-12,000,000)
Next generation high-speed rail	20,395,000	12,594,000	15,294,000	28,494,000	20,494,000	+99,000
Alaska Railroad rehabilitation	15,280,000			10,000,000	10,000,000	-5,280,000
Rhode Island Rail Development	10,000,000	10,000,000	2,000,000	7,500,000	5,000,000	-5,000,000
Grants to the National Railroad Passenger Corporation:						
Operations	344,000,000					-344,000,000
Capital	199,000,000			555,000,000		-199,000,000
Capital grants to the National Railroad Passenger Corporation			609,230,000		609,230,000	+609,230,000
Highway Trust Fund		621,476,000				
(Northeast corridor improvements)		(200,000,000)				
(Pennsylvania Station Redevelopment Project)		(11,746,530)				
Subtotal, Grants to Amtrak	543,000,000	621,476,000	609,230,000	555,000,000	609,230,000	+66,230,000
Emergency railroad rehab & repair (emergency funding)	(9,800,000)					(-9,800,000)
Conrail Labor protection (rescission)	(-508,234)					(+508,234)
Total, Federal Railroad Administration	936,790,000	751,359,000	729,316,000	709,650,000	749,791,000	-186,999,000

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1999—continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Transit Administration						
Administrative expenses (general fund)	45,738,000		10,800,000	10,800,000	10,800,000	-34,938,000
Administrative expenses (Highway Trust Fund, Mass Transit Account)		48,142,000				
(Limitation on obligations)			(43,200,000)	(43,200,000)	(43,200,000)	(+43,200,000)
Subtotal, Administrative expenses	(45,738,000)	(48,142,000)	(54,000,000)	(54,000,000)	(54,000,000)	(+8,262,000)
Formula grants (general fund)	240,000,000		570,000,000	570,000,000	570,000,000	+330,000,000
Formula grants (Highway Trust Fund):						
(Limitation on obligations)	(2,260,000,000)		(2,280,000,000)	(2,280,000,000)	(2,280,000,000)	(+20,000,000)
Operating assistance grants	(150,000,000)					(-150,000,000)
Subtotal, Formula grants	(2,500,000,000)		(2,850,000,000)	(2,850,000,000)	(2,850,000,000)	(+350,000,000)
Formula programs (Highway Trust Fund, Mass Transit Account):						
(Limitation on obligations)		(3,709,235,000)				
(Liquidation of contract authorization)		(1,500,000,000)				
University transportation research (general fund)	6,000,000		1,200,000	1,200,000	1,200,000	-4,800,000
University transportation research (Highway Trust Fund, Mass Transit Account) (limitation on obligations)			(4,800,000)	(4,800,000)	(4,800,000)	(+4,800,000)
Subtotal, University transportation research	(6,000,000)		(6,000,000)	(6,000,000)	(6,000,000)	
Transit planning and research (general fund)	92,000,000		19,800,000	19,800,000	19,800,000	-72,200,000
Transit planning and research (Highway Trust Fund, Mass Transit Account)		91,900,000				
(Limitation on obligations)			(78,200,000)	(78,200,000)	(78,200,000)	(+78,200,000)
Subtotal, Transit planning and research	(92,000,000)	(91,900,000)	(98,000,000)	(98,000,000)	(98,000,000)	(+6,000,000)
Rural transportation assistance	(4,500,000)	(6,000,000)	(5,250,000)	(5,250,000)	(5,250,000)	(+750,000)
National transit institute	(3,000,000)	(3,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(+1,000,000)
Transit cooperative research		(8,250,000)	(8,250,000)	(8,250,000)	(8,250,000)	(+8,250,000)
Metropolitan planning	(39,500,000)	(39,500,000)	(43,841,600)	(43,841,600)	(43,841,600)	(+4,341,600)
State planning and research	(8,250,000)	(8,250,000)	(9,158,400)	(9,158,400)	(9,158,400)	(+908,400)
National planning and research	(36,750,000)	(26,900,000)	(27,500,000)	(27,500,000)	(27,500,000)	(-9,250,000)
Subtotal	(92,000,000)	(91,900,000)	(98,000,000)	(98,000,000)	(98,000,000)	(+6,000,000)
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(2,210,000,000)		(2,446,200,000)	(2,446,200,000)	(4,251,800,000)	(+2,041,800,000)
Capital investment grants (general fund)			451,400,000	451,400,000	451,400,000	+451,400,000
Capital investment grants (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(2,000,000,000)	(876,114,857)	(1,805,600,000)	(1,805,600,000)	(1,805,600,000)	(-194,400,000)
Subtotal, Capital investment grants	(2,000,000,000)	(876,114,857)	(2,257,000,000)	(2,257,000,000)	(2,257,000,000)	(+257,000,000)
(Fixed guideway modernization)	(800,000,000)		(902,800,000)	(902,800,000)	(902,800,000)	(+102,800,000)
(Buses and bus-related facilities)	(400,000,000)		(451,400,000)	(451,400,000)	(451,400,000)	(+51,400,000)
(New starts)	(800,000,000)	(876,114,857)	(902,800,000)	(902,800,000)	(902,800,000)	(+102,800,000)
Subtotal	(2,000,000,000)	(876,114,857)	(2,257,000,000)	(2,257,000,000)	(2,257,000,000)	(+257,000,000)
Major capital investments (Highway Trust Fund, Mass Transit Account) (liquidation of contract authority)		(1,900,000,000)				
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(2,350,000,000)		(1,805,600,000)	(1,805,600,000)	(2,000,000,000)	(-350,000,000)
Discretionary grants (Highway Trust Fund, Mass Transit Account) (rescission of contract authorization)				-392,000,000		
Job access and reverse commute grants (general fund)			10,000,000	10,000,000	35,000,000	+35,000,000
(Highway Trust Fund, Mass Transit Account) (limitation on obligations)			(40,000,000)	(40,000,000)	(40,000,000)	(+40,000,000)
Subtotal, Job access and reverse commute grants			(50,000,000)	(50,000,000)	(75,000,000)	(+75,000,000)
Washington Metropolitan Area Transit Authority (general fund)	200,000,000		50,000,000	50,000,000	50,000,000	-150,000,000
Washington Metropolitan Area Transit Authority (Highway Trust Fund, Mass Transit Account)		50,300,000				
Total, Federal Transit Administration	583,738,000	190,342,000	1,113,200,000	1,113,200,000	1,138,200,000	+554,462,000
(Limitations on obligations)	(4,260,000,000)	(4,585,349,857)	(4,251,800,000)	(4,251,800,000)	(4,251,800,000)	(-8,200,000)
Total budgetary resources	(4,843,738,000)	(4,775,691,857)	(5,365,000,000)	(5,365,000,000)	(5,390,000,000)	(+546,262,000)
Saint Lawrence Seaway Development Corporation						
Operations and maintenance (Harbor Maintenance Trust Fund)	11,200,000		11,496,000	11,496,000	11,496,000	+296,000

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Research and Special Programs Administration						
Research and special programs:						
Hazardous materials safety	15,342,000	15,863,000	15,863,000	15,863,000	16,063,000	+721,000
Emergency transportation	2,443,000	997,000	997,000	997,000	997,000	-1,446,000
Research and technology	3,446,000	3,851,000	3,700,000	3,651,000	3,676,000	+230,000
Program and administrative support	8,219,000	8,944,000	8,819,000	8,489,000	8,544,000	+325,000
Advanced vehicle technology consortia	.....	.....	5,000,000	.....	.....	.....
Subtotal, research and special programs	29,450,000	29,655,000	34,379,000	29,000,000	29,280,000	-170,000
Pipeline safety:						
Pipeline Safety Fund	28,000,000	32,163,000	28,973,000	29,000,000	29,000,000	+1,000,000
Oil Spill Liability Trust Fund	3,300,000	3,300,000	4,475,000	3,500,000	4,248,000	+948,000
Pipeline safety reserve	(1,465,000)	.....	(1,300,000)	(1,659,000)	(1,400,000)	(-65,000)
Subtotal, Pipeline safety	31,300,000	35,463,000	33,448,000	32,500,000	33,248,000	+1,948,000
Emergency preparedness grants:						
Emergency preparedness fund	200,000	200,000	200,000	200,000	200,000	.....
(Limitation on obligations)	.....	.....	(9,600,000)	.....	(11,000,000)	(+11,000,000)
Total, Research and Special Programs Administration	60,950,000	65,318,000	68,027,000	61,700,000	62,728,000	+1,778,000
(Limitations on obligations)	.....	.....	(9,600,000)	.....	(11,000,000)	(+11,000,000)
Total budgetary resources	(60,950,000)	(65,318,000)	(77,627,000)	(61,700,000)	(73,728,000)	(+12,778,000)
Office of Inspector General						
Salaries and expenses	42,000,000	42,491,000	43,495,000	42,720,000	43,495,000	+1,495,000
Surface Transportation Board						
Salaries and expenses	13,853,000	16,000,000	16,000,000	13,853,000	16,000,000	+2,147,000
Offsetting collections	.....	-16,000,000	-2,600,000	.....	-2,600,000	-2,600,000
General Provisions						
Transportation Administrative Service Center reduction	-3,000,000	.....	-20,000,000	-17,247,000	-15,000,000	-12,000,000
National Aviation Review Commission (rescission)	.....	.....	-752,000	.....	-752,000	-752,000
Amtrak Reform Council	.....	.....	.....	.....	450,000	+450,000
Urban discretionary grants (rescission)	.....	.....	-3,918,000	.....	-3,918,000	-3,918,000
Net total, title I, Department of Transportation	12,666,887,766	13,357,124,000	13,681,452,900	13,663,503,569	13,678,569,000	+1,011,681,234
Appropriations	(13,418,996,000)	(13,357,124,000)	(13,686,122,900)	(14,055,503,569)	(13,683,239,000)	(+264,243,000)
Rescissions	(-752,108,234)	.....	(-4,670,000)	(-392,000,000)	(-4,670,000)	(+747,438,234)
(Limitations on obligations)	(27,801,086,000)	(28,288,951,857)	(31,944,400,000)	(32,234,800,000)	(32,095,800,000)	(+4,294,714,000)
(Exempt obligations)	(1,597,000,000)	(1,265,000,000)	(1,211,614,000)	(1,207,903,000)	(1,211,614,000)	(-385,386,000)
Net total budgetary resources	(42,064,973,766)	(42,911,075,857)	(46,837,466,900)	(47,106,206,569)	(46,985,983,000)	(+4,921,009,234)
TITLE II - RELATED AGENCIES						
Architectural and Transportation Barriers Compliance Board						
Salaries and expenses	3,640,000	3,847,000	3,847,000	3,847,000	3,847,000	+207,000
National Transportation Safety Board						
Salaries and expenses	53,771,000	47,200,000	53,300,000	53,473,000	53,473,000	-298,000
Appropriation of user fees	.....	8,000,000	.....	.....	.....	.....
Emergency fund	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	.....
Total, National Transportation Safety Board	54,771,000	54,200,000	54,300,000	54,473,000	54,473,000	-298,000
Total, title II, Related Agencies	58,411,000	58,047,000	58,147,000	58,320,000	58,320,000	-91,000
Net total appropriations	12,725,298,766	13,415,171,000	13,739,599,900	13,721,823,569	13,736,889,000	+1,011,590,234
Scorekeeping adjustments:						
Pipeline safety (OSLTF)	1,000,000	.....	1,300,000	1,659,000	1,400,000	+400,000
Coast Guard adjustment	.....	1,000,000	.....	.....	.....	.....
FAA adjustment	.....	43,000,000	.....	.....	.....	.....
General Provision (sec. 328)	.....	.....	.....	4,000,000	4,000,000	+4,000,000
Total, adjustments	1,000,000	44,000,000	1,300,000	5,659,000	5,400,000	+4,400,000
Net grand total	12,726,298,766	13,459,171,000	13,740,899,900	13,727,482,569	13,742,289,000	+1,015,990,234
Appropriations	(13,478,407,000)	(13,459,171,000)	(13,745,569,900)	(14,119,482,569)	(13,746,959,000)	(+287,552,000)
Rescissions	(-752,108,234)	.....	(-4,670,000)	(-392,000,000)	(-4,670,000)	(+747,438,234)
(Limitations on obligations)	(27,801,086,000)	(28,288,951,857)	(31,944,400,000)	(32,234,800,000)	(32,095,800,000)	(+4,294,714,000)
(Exempt obligations)	(1,597,000,000)	(1,265,000,000)	(1,211,614,000)	(1,207,903,000)	(1,211,614,000)	(-385,386,000)
Net grand total budgetary resources	(42,124,384,766)	(43,013,122,857)	(46,896,913,900)	(47,170,185,569)	(47,049,703,000)	(+4,925,318,234)

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1999— continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
RECAP						
Total mandatory and discretionary	12,726,298,766	13,459,171,000	13,740,899,900	13,727,482,569	13,742,289,000	+1,015,990,234
Mandatory	653,196,000	684,000,000	684,000,000	684,000,000	684,000,000	+30,804,000
Discretionary:						
Highway category:						
(Limitation on obligations)	(21,841,086,000)	(21,998,602,000)	(25,883,000,000)	(25,883,000,000)	(25,883,000,000)	(+4,041,914,000)
Mass Transit category	583,738,000	140,042,000	1,113,200,000	1,113,200,000	1,113,200,000	+529,462,000
(Limitation on obligations)	(4,260,000,000)	(876,114,857)	(4,251,800,000)	(4,251,800,000)	(4,251,800,000)	(-8,200,000)
Total, Mass Transit category	4,843,738,000	1,016,156,857	5,365,000,000	5,365,000,000	5,365,000,000	+521,262,000
Budget scoring	583,738,000	140,042,000	1,113,200,000	1,113,200,000	1,113,200,000	+529,462,000
General purposes:						
Defense (050)	300,000,000	309,000,000	300,000,000	300,000,000	300,000,000	.....
Nondefense	11,189,364,766	12,326,129,000	11,643,699,900	11,630,282,569	11,645,089,000	+455,724,234
Total, Discretionary	12,073,102,766	12,775,171,000	13,056,899,900	13,043,482,569	13,058,289,000	+985,186,234

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE TREASURY						
Departmental Offices	114,771,000	123,846,000	122,889,000	120,671,000	123,151,000	+8,380,000
Automation Enhancement	61,389,000	33,952,000	31,190,000	28,990,000	28,690,000	-32,699,000
(Delay in obligation)				(-8,000,000)		
Transfer to Customs Service		(-8,000,000)				
Transfer to ATF		(-3,700,000)				
Office of Inspector General	29,719,000	30,678,000	30,678,000	30,678,000	30,678,000	+959,000
Office of Professional Responsibility	1,250,000	1,654,000	1,250,000			-1,250,000
Treasury Buildings and Annex Repair and Restoration	10,484,000	27,000,000	27,000,000	27,000,000	27,000,000	+16,516,000
(Delay in obligation)			(-27,000,000)	(-27,000,000)	(-27,000,000)	(-27,000,000)
Financial Crimes Enforcement Network	22,835,000	24,000,000	24,000,000	23,670,000	24,000,000	+1,165,000
Violent Crime Reduction Programs:						
Bureau of Alcohol, Tobacco and Firearms	19,421,000		3,000,000	1,800,000	3,000,000	-16,421,000
Financial Crimes Enforcement Network	1,000,000	1,000,000		1,400,000	1,400,000	+400,000
Interagency crime and drug enforcement		45,000,000	24,000,000	45,000,000	24,000,000	+24,000,000
United States Secret Service	15,731,000	11,700,000	14,528,000	15,403,000	22,628,000	+6,897,000
(Delay in obligation)			(-828,000)			
ONDCP	23,200,000		14,000,000		2,500,000	-20,700,000
Gang Resistance Education and Training: Grants	10,000,000	10,000,000	10,000,000	13,239,000	13,000,000	+3,000,000
Federal Law Enforcement Training Center	1,000,000			1,158,000		-1,000,000
United States Customs Service	60,648,000	64,472,000	66,472,000	54,000,000	65,472,000	+4,824,000
Total, Violent Crime Reduction Programs	131,000,000	132,172,000	132,000,000	132,000,000	132,000,000	+1,000,000
Federal Law Enforcement Training Center:						
Salaries and Expenses	64,663,000	71,923,000	71,923,000	66,251,000	71,923,000	+7,260,000
Acquisition, Construction, Improvements, and Related Expenses	32,548,000	28,360,000	28,360,000	15,360,000	34,760,000	+2,212,000
Total, Federal Law Enforcement Training Center	97,211,000	100,283,000	100,283,000	81,611,000	106,683,000	+9,472,000
Interagency Law Enforcement:						
Interagency crime and drug enforcement	73,794,000	30,900,000	51,900,000		51,900,000	-21,894,000
Financial Management Service	207,790,000	202,510,000	198,510,000	196,490,000	196,490,000	-11,300,000
(Delay in obligation)				(-4,500,000)		
Debt collection improvement account		3,000,000		3,000,000		
Federal Financing Bank (debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
Bureau of Alcohol, Tobacco and Firearms:						
Salaries and Expenses	478,934,000	544,324,000	530,624,000	529,489,000	541,574,000	+62,640,000
Transfer from Automation Enhancement		(3,700,000)				
(Delay in obligation)			(-2,206,000)		(-2,206,000)	(-2,206,000)
Laboratory facilities and headquarters	55,022,000	32,000,000				-55,022,000
Total, Bureau of Alcohol, Tobacco and Firearms	533,956,000	576,324,000	530,624,000	529,489,000	541,574,000	+7,618,000
United States Customs Service:						
Salaries and Expenses	1,522,165,000	1,638,065,000	1,638,065,000	1,630,273,000	1,642,565,000	+120,400,000
(Delay in obligation)			(-7,000,000)	(-28,480,000)	(-9,500,000)	(-9,500,000)
Transfer from Automation Enhancement		(8,000,000)				
Rescission	-6,000,000					+6,000,000
Subtotal	1,516,165,000	1,638,065,000	1,638,065,000	1,630,273,000	1,642,565,000	+126,400,000
Operation, Maintenance and Procurement, Air and Marine Interdiction Programs	92,758,000	98,488,000	100,688,000	113,488,000	113,688,000	+20,930,000
(Delay in obligation)				(-20,100,000)		
Rescission	-4,470,000					+4,470,000
Subtotal	88,288,000	98,488,000	100,688,000	113,488,000	113,688,000	+25,400,000
Customs Services at Small Airports (to be derived from fees collected)	2,406,000	2,000,000	2,000,000	2,000,000	2,000,000	-406,000
Harbor Maintenance Fee Collection	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	
Total, United States Customs Service	1,609,859,000	1,741,553,000	1,743,753,000	1,748,761,000	1,761,253,000	+151,394,000
Bureau of the Public Debt	169,426,000	173,100,000	172,100,000	172,100,000	172,100,000	+2,674,000
Internal Revenue Service:						
Processing, Assistance, and Management	2,925,874,000	3,162,430,000	3,025,013,000	3,077,353,000	3,086,208,000	+160,334,000
(Delay in obligation)				(-105,000,000)	(-130,000,000)	(-130,000,000)
Tax Law Enforcement	3,142,822,000	3,169,539,000	3,164,189,000	3,164,399,000	3,164,189,000	+21,367,000
(Delay in obligation)				(-175,000,000)		
Rescission	-32,000,000					+32,000,000
Subtotal	3,110,822,000	3,169,539,000	3,164,189,000	3,164,399,000	3,164,189,000	+53,367,000
Earned Income Tax Credit Compliance Initiative	138,000,000	143,000,000	143,000,000	143,000,000	143,000,000	+5,000,000
Information Systems	1,272,487,000	1,540,884,000	1,224,032,000	1,329,486,000	1,265,456,000	-7,031,000
(Delay in obligation)				(-68,700,000)		

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Information technology investments	325,000,000	323,000,000	210,000,000	137,569,000	211,000,000	-114,000,000
(Delay in obligation)				(-137,569,000)	(-211,000,000)	(-211,000,000)
Rescission	-30,330,000					+30,330,000
Subtotal	294,670,000	323,000,000	210,000,000	137,569,000	211,000,000	-83,670,000
Net total, Internal Revenue Service	7,741,853,000	8,338,853,000	7,766,234,000	7,851,807,000	7,869,853,000	+128,000,000
United States Secret Service:						
Salaries and Expenses	564,348,000	594,657,000	594,657,000	584,902,000	600,302,000	+35,954,000
(Delay in obligation)				(-13,860,000)	(-5,000,000)	(-5,000,000)
Acquisition, Construction, Improvement, & Related Expenses	8,799,000	6,445,000	6,445,000	8,068,000	8,068,000	-731,000
Total, United States Secret Service	573,147,000	601,102,000	601,102,000	592,970,000	608,370,000	+35,223,000
Payment for the joint financial management improvement program		3,000,000				
Net total, title I, Department of the Treasury	11,378,484,000	12,143,927,000	11,533,513,000	11,539,237,000	11,673,742,000	+295,258,000
(Debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
TITLE II - POSTAL SERVICE						
Payments to the Postal Service						
Payments to the Postal Service Fund	86,274,000	100,195,000	71,195,000	71,195,000	71,195,000	-15,079,000
(Delay in obligation)				(-71,195,000)	(-71,195,000)	(-71,195,000)
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
Compensation of the President and the White House Office:						
Compensation of the President	250,000	250,000	250,000	250,000	250,000	
Salaries and Expenses	51,199,000	52,344,000	52,344,000	52,344,000	52,344,000	+1,145,000
Executive Residence at the White House:						
Operating Expenses	8,045,000	8,691,000	8,061,000	8,691,000	8,691,000	+646,000
White House Repair and Restoration	200,000					-200,000
Special Assistance to the President and the Official Residence of the Vice President:						
Salaries and Expenses	3,378,000	3,512,000	3,512,000	3,512,000	3,512,000	+134,000
Operating expenses	334,000	334,000	334,000	334,000	334,000	
Council of Economic Advisers	3,542,000	3,666,000	3,666,000	3,666,000	3,666,000	+124,000
Office of Policy Development	3,983,000	4,032,000	4,032,000	4,032,000	4,032,000	+49,000
National Security Council	6,648,000	6,806,000	6,806,000	6,806,000	6,806,000	+158,000
Office of Administration	28,883,000	40,550,000	28,350,000	29,140,000	28,350,000	-533,000
Office of Management and Budget	57,440,000	60,617,000	59,017,000	60,617,000	60,617,000	+3,177,000
Office of National Drug Control Policy	35,016,000	36,442,000	36,442,000	48,042,000	48,042,000	+13,026,000
Unanticipated Needs		1,000,000			1,000,000	+1,000,000
Federal Drug Control Programs: High Intensity Drug Trafficking Areas Program	159,007,000	162,007,000	162,007,000	183,977,000	182,477,000	+23,470,000
Special forfeiture fund	211,000,000	251,000,000	215,000,000	200,000,000	214,500,000	+3,500,000
Information technology systems and related expenses (contingent emergency)				3,250,000,000		
Total, title III, Executive Office of the President and Funds Appropriated to the President	568,925,000	631,251,000	579,821,000	601,411,000	614,621,000	+45,696,000
Emergency funding				3,250,000,000		
TITLE IV - INDEPENDENT AGENCIES						
Committee for Purchase from People Who Are Blind or Severely Disabled	1,940,000	2,464,000	2,464,000	2,464,000	2,464,000	+524,000
Federal Election Commission	31,650,000	36,504,000	36,500,000	36,500,000	36,500,000	+4,850,000
Federal Labor Relations Authority	22,039,000	22,586,000	22,586,000	22,586,000	22,586,000	+547,000
General Services Administration:						
Federal Buildings Fund:						
Appropriation			479,300,000	508,752,000	450,018,000	+450,018,000
Limitations on availability of revenue:						
Construction and acquisition of facilities		(44,005,000)	(527,100,000)	(538,652,000)	(492,190,000)	(+492,190,000)
Repairs and alterations	(300,000,000)	(668,031,000)	(655,031,000)	(668,031,000)	(668,031,000)	(+368,031,000)
(Delay in obligation)			(-19,000,000)	(-323,800,000)	(-161,500,000)	(-161,500,000)
Installment acquisition payments	(142,542,000)	(215,764,000)	(215,764,000)	(215,764,000)	(215,764,000)	(+73,222,000)
Rental of space	(2,275,340,000)	(2,583,261,000)	(2,580,461,000)	(2,583,261,000)	(2,583,261,000)	(+307,921,000)
(Delay in obligation)				(-51,667,000)	(-15,000,000)	(-15,000,000)
Building Operations	(1,331,789,000)	(1,554,772,000)	(1,554,772,000)	(1,554,772,000)	(1,554,772,000)	(+222,983,000)
(Delay in obligation)			(-223,000,000)	(-31,095,000)	(-68,000,000)	(-68,000,000)
Repayment of Debt	(105,720,000)	(91,000,000)	(91,000,000)	(91,000,000)	(91,000,000)	(-14,720,000)
Previously appropriated activities	(680,543,000)					(-680,543,000)
Unspecified reduction to limitations				(-2,800,000)		
Total, Federal Buildings Fund			479,300,000	508,752,000	450,018,000	+450,018,000
(Limitations)	(4,835,934,000)	(5,156,833,000)	(5,624,128,000)	(5,648,680,000)	(5,605,018,000)	(+769,084,000)

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Policy and Operations	107,487,000	106,494,000	108,494,000	106,494,000	109,594,000	+2,107,000
Office of Inspector General	33,870,000	32,000,000	32,000,000	32,000,000	32,000,000	-1,870,000
Allowances and Office Staff for Former Presidents	2,208,000	2,241,000	2,241,000	2,241,000	2,241,000	+33,000
Total, General Services Administration	143,565,000	140,735,000	622,035,000	649,487,000	593,853,000	+450,288,000
John F. Kennedy Assassination Record Review Board	1,600,000					-1,600,000
Merit Systems Protection Board:						
Salaries and Expenses	25,290,000	25,805,000	25,805,000	25,805,000	25,805,000	+515,000
(Limitation on administrative expenses)	(2,430,000)	(2,430,000)	(2,430,000)	(2,430,000)	(2,430,000)	
Morris K. Udall scholarship and excellence in national environmental policy foundation	1,750,000	2,000,000				-1,750,000
Environmental Dispute Resolution Fund		4,250,000	4,250,000		4,250,000	+4,250,000
National Archives and Records Administration:						
Operating expenses	205,166,500	230,025,000	216,753,000	221,030,000	224,614,000	+19,447,500
(Delay in obligation)				(-4,277,000)	(-7,861,000)	(-7,861,000)
Reduction of debt	-4,012,000	-4,012,000	-4,012,000	-4,012,000	-4,012,000	
Repairs and Restoration	14,650,000	10,450,000	10,450,000	11,325,000	11,325,000	-3,325,000
(Delay in obligation)				(-2,000,000)		
National Historical Publications and Records Commission:						
Grants program	5,500,000	6,000,000	6,000,000	11,000,000	10,000,000	+4,500,000
(Delay in obligation)				(-5,500,000)	(-4,000,000)	(-4,000,000)
Total, National Archives and Records Administration	221,304,500	242,463,000	229,191,000	239,343,000	241,927,000	+20,622,500
Office of Government Ethics	8,265,000	8,492,000	8,492,000	8,492,000	8,492,000	+227,000
Office of Personnel Management:						
Salaries and Expenses	85,350,000	85,350,000	85,350,000	85,350,000	85,350,000	
(Limitation on administrative expenses)	(91,236,000)	(91,236,000)	(91,236,000)	(91,236,000)	(91,236,000)	
Office of Inspector General	960,000	960,000	960,000	960,000	960,000	
(Limitation on administrative expenses)	(8,645,000)	(9,145,000)	(9,145,000)	(9,145,000)	(9,145,000)	(+500,000)
Government Payment for Annuitants, Employees Health Benefits	4,338,000,000	4,632,000,000	4,632,000,000	4,632,000,000	4,632,000,000	+294,000,000
Government Payment for Annuitants, Employee Life Insurance	32,000,000	35,000,000	35,000,000	35,000,000	35,000,000	+3,000,000
Payment to Civil Service Retirement and Disability Fund	8,336,000,000	8,682,297,000	8,682,297,000	8,682,297,000	8,682,297,000	+346,297,000
Total, Office of Personnel Management	12,792,310,000	13,435,607,000	13,435,607,000	13,435,607,000	13,435,607,000	+643,297,000
Office of Special Counsel	8,450,000	8,720,000	8,720,000	8,720,000	8,720,000	+270,000
United States Tax Court	33,921,000	34,490,000	34,490,000	32,765,000	32,765,000	-1,156,000
Total, title IV, Independent Agencies	13,292,084,500	13,964,116,000	14,430,140,000	14,461,769,000	14,412,969,000	+1,120,884,500
(Limitation on administrative expenses)	(4,938,245,000)	(5,259,644,000)	(5,726,939,000)	(5,751,491,000)	(5,707,829,000)	(+769,584,000)
Net grand total	25,325,767,500	26,839,489,000	26,614,669,000	29,923,612,000	26,772,527,000	+1,446,759,500
Appropriations	(25,398,567,500)	(26,839,489,000)	(26,614,669,000)	(26,673,612,000)	(26,772,527,000)	(+1,373,959,500)
Rescissions	(-72,800,000)					(+72,800,000)
Emergency funding				(3,250,000,000)		
(Debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
(Limitations)	(4,938,245,000)	(5,259,644,000)	(5,726,939,000)	(5,751,491,000)	(5,707,829,000)	(+769,584,000)
Scorekeeping adjustments:						
Bureau of The Public Debt (Permanent)	144,000,000	138,000,000	138,000,000	138,000,000	138,000,000	-6,000,000
Federal Reserve Bank reimbursement fund		126,000,000	126,000,000	126,000,000	126,000,000	+126,000,000
Federal Savings & Loan Insurance Corp. (sec. 638)	34,000,000					-34,000,000
Trust fund budget authority	102,311,000	102,000,000	102,000,000	102,000,000	102,000,000	-311,000
US Mint revolving fund	30,000,000	15,000,000	15,000,000	15,000,000	15,000,000	-15,000,000
Sallie Mae	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Federal buildings fund	-50,000,000	-28,000,000	-40,000,000	-45,000,000	-30,000,000	+20,000,000
Postal service advance appropriation				-71,195,000	-71,195,000	-71,195,000
Retirement open season (sec. 642)	-2,000,000					+2,000,000
General provision (sec. 408)				5,000,000	5,000,000	+5,000,000
Security of the Capitol Complex (sec. 411)				14,105,000		
Strategic petroleum reserve (sec. 655) (emergency)				420,000,000		
Ethics Reform Act adjustment			-2,000,000	-2,000,000	-2,000,000	-2,000,000
Contingent emergencies				-3,670,000,000		
Total, scorekeeping adjustments	259,311,000	354,000,000	340,000,000	-2,967,090,000	283,805,000	+24,494,000
Total mandatory and discretionary	25,585,078,500	27,193,489,000	26,954,669,000	26,956,522,000	27,056,332,000	+1,471,253,500
Mandatory	12,850,250,000	13,613,547,000	13,613,547,000	13,613,547,000	13,613,547,000	+763,297,000
Discretionary:						
Crime trust fund	131,000,000	132,172,000	132,000,000	132,000,000	132,000,000	+1,000,000
General purposes	12,603,828,500	13,447,770,000	13,209,122,000	13,210,975,000	13,310,785,000	+706,956,500
Total, Discretionary	12,734,828,500	13,579,942,000	13,341,122,000	13,342,975,000	13,442,785,000	+707,956,500

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999

	Conference
DIVISION A - ADDITIONAL PROVISIONS	
Tennessee Valley Authority:	
Nonpower programs (sec. 102)	50,000,000
Loan prepayment penalty (sec. 103)	16,000,000
Corps of Engineers: Construction, general (sec. 105)	35,000,000
Department of Energy:	
Energy supply: Solar renewables (sec. 108)	60,000,000
Science: Next generation Internet (sec. 109)	15,000,000
Surface tranportation projects, Massachusetts (sec. 111)	100,000,000
Appalachian development highway system:	
Alabama (sec. 112)	100,000,000
West Virginia (sec. 113)	32,000,000
Surface transportation projects, Arkansas (sec. 114)	100,000,000
Alaska railroad (sec. 115)	28,000,000
Transit discretionary grants rescission (contract authority) (sec. 116)	-392,000,000
Direct loans for fisheries (sec. 120)	30,000,000
Community Planning and Development (sec. 121):	
Housing opportunities for persons with AIDS	10,000,000
Empowerment zones and enterprise communities	45,000,000
Environmental Protection Agency (sec. 121):	
State and tribal assistance grants: Boston Harbor	20,000,000
Science and technology: Climate change	10,000,000
Corporation for National and Community Service (sec. 121)	10,000,000
Community development financial institutions (sec. 121)	15,000,000
Trade Deficit Review Commission (sec. 127)	2,000,000
District of Columbia pension system (offset) (sec. 130)	-2,414,000,000
District of Columbia:	
National Capital Revitalization Corporation (sec. 131)	25,000,000
Public schools special education program (sec. 132)	30,000,000
Year 2000 compliance (sec. 133)	20,000,000
Nation's Capital infrastructure fund (sec. 134)	50,000,000
Total, title I:	
New budget (obligational) authority	-2,003,000,000
Appropriations	(803,000,000)
Rescissions	(-392,000,000)
Offsets	(-2,414,000,000)

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999

	Conference
DIVISION B - SUPPLEMENTAL APPROPRIATIONS	
TITLE I - MILITARY READINESS AND OVERSEAS CONTINGENCY OPERATIONS	
CHAPTER 1	
DEPARTMENT OF DEFENSE - MILITARY	
Military Personnel	
Military personnel, Army (contingent emergency appropriations)	10,000,000
(By transfer) (emergency appropriations)	(310,600,000)
Military personnel, Navy (contingent emergency appropriations)	33,300,000
(By transfer) (emergency appropriations)	(9,275,000)
Military personnel, Marine Corps (contingent emergency appropriations)	8,900,000
(By transfer) (emergency appropriations)	(2,748,000)
Military personnel, Air Force (by transfer) (emergency appropriations)	(17,000,000)
Reserve personnel, Navy (contingent emergency appropriations)	10,000,000
(By transfer) (emergency appropriations)	(2,295,000)
Total, Military personnel	62,200,000
(By transfer) (emergency appropriations)	(341,918,000)
Operation and Maintenance	
Operation and maintenance, Army (contingent emergency appropriations)	314,500,000
Operation and maintenance, Navy (contingent emergency appropriations)	232,600,000
Operation and maintenance, Marine Corps (contingent emergency appropriations)	52,400,000
Operation and maintenance, Air Force (contingent emergency appropriations)	303,000,000
Operation and maintenance, Defense-wide (contingent emergency appropriations)	1,496,600,000
Operation and maintenance, Army Reserve (contingent emergency appropriations)	3,000,000
Operation and maintenance, Marine Corps Reserve (contingent emergency appropriations)	3,300,000
Operation and maintenance, Air Force Reserve (contingent emergency appropriations)	9,000,000
Operation and maintenance, Army National Guard (contingent emergency appropriations)	50,000,000
Operation and maintenance, Air National Guard (contingent emergency appropriations)	21,000,000
Overseas contingency operations transfer fund (emergency appropriations)	1,858,600,000
Morale, welfare and recreation and personnel support for contingency deployments (contingent emergency appropriations)	50,000,000
Total, Operation and maintenance	4,394,000,000
Other Department of Defense Programs	
Defense health program: Operation and maintenance (contingent emergency appropriations)	200,000,000
Drug interdiction and counterdrug activities, Defense (contingent emergency appropriations)	42,000,000
Total, other Department of Defense programs	242,000,000
General Provisions	
Ballistic missile defense, RDT&E, Defense-wide (sec. 102) (contingent emergency appropriations)	1,000,000,000
Natural disasters (sec. 103) (emergency appropriations)	106,302,000
Contingent emergency appropriations	153,551,000
Defense health program (Fisher houses) (sec. 104)	2,000,000
General reduction (H.R. 4103) (sec. 105)	-67,000,000
Total, Chapter 1:	
New budget (obligational) authority	5,893,053,000
Appropriations	(2,000,000)
Emergency appropriations	(1,964,902,000)
Contingent emergency appropriations	(3,993,151,000)
Rescissions	(-67,000,000)
(By transfer) (emergency appropriations)	(341,918,000)
CHAPTER 2	
DEPARTMENT OF ENERGY	
Atomic Energy Defense Activities	
Other defense activities (contingent emergency appropriations)	525,000,000
CHAPTER 3	
DEPARTMENT OF DEFENSE - MILITARY	
Military construction, Army (emergency appropriations)	118,000,000
Military construction, Navy (contingent emergency appropriations)	5,860,000
Military construction, Air Force (contingent emergency appropriations)	29,200,000
Military construction, Army National Guard (contingent emergency appropriations)	2,500,000
Military construction, Air National Guard (contingent emergency appropriations)	15,900,000
Total, Military construction	171,460,000

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999— continued

	Conference
Family housing, Army (contingent emergency appropriations)	5,200,000
Family housing, Navy and Marine Corps (contingent emergency appropriations)	10,599,000
Family housing, Air Force (contingent emergency appropriations)	22,233,000
Total, Family housing	38,032,000
Total, Chapter 3:	
New budget (obligational) authority	209,492,000
Emergency appropriations	(118,000,000)
Contingent emergency appropriations	(91,492,000)
CHAPTER 4	
DEPARTMENT OF TRANSPORTATION	
Coast Guard	
Operating expenses (contingent emergency appropriations)	100,000,000
Acquisition, construction, and improvements (contingent emergency appropriations)	100,000,000
Reserve training (contingent emergency appropriations)	5,000,000
Research, development, test, and evaluation (contingent emergency appropriations)	5,000,000
Total, Chapter 4:	
New budget (obligational) authority	210,000,000
Total, title I:	
New budget (obligational) authority	6,837,545,000
Appropriations	(2,000,000)
Emergency appropriations	(2,082,902,000)
Contingent emergency appropriations	(4,819,643,000)
Rescissions	(-67,000,000)
(By transfer) (emergency appropriations)	(341,918,000)
TITLE II - ANTITERRORISM	
CHAPTER 1	
DEPARTMENT OF JUSTICE	
Federal Bureau of Investigation	
Salaries and expenses (emergency appropriations)	21,680,000
DEPARTMENT OF STATE	
Administration of Foreign Affairs	
Diplomatic and consular programs (emergency appropriations)	748,000,000
Contingent emergency appropriations	25,700,000
Salaries and expenses (emergency appropriations)	12,000,000
Office of Inspector General (emergency appropriations)	1,000,000
Security and maintenance of United States missions (emergency appropriations)	627,000,000
Emergencies in the diplomatic and consular service (emergency appropriations)	10,000,000
Total, Department of State	1,423,700,000
Total, Chapter 1:	
New budget (obligational) authority	1,445,380,000
Emergency appropriations	(1,419,680,000)
Contingent emergency appropriations	(25,700,000)
CHAPTER 2	
DEPARTMENT OF DEFENSE - MILITARY	
Operation and Maintenance	
Operation and maintenance, Defense-wide (contingent emergency appropriations)	358,427,000
General Provisions	
Domestic preparedness (sec. 202) (contingent emergency appropriations)	50,000,000
Crisis response aviation support (sec. 203) (contingent emergency appropriations)	120,500,000
Total, Chapter 2:	
New budget (obligational) authority	528,927,000
CHAPTER 3	
FUNDS APPROPRIATED TO THE PRESIDENT	
Agency for International Development	
Operating expenses of the Agency for International Development (by transfer) (emergency appropriations)	(2,500,000)

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999— continued

	Conference
International Security Assistance	
Economic support fund (emergency appropriations)	50,000,000
Peace Corps	
Appropriations (by transfer) (emergency appropriations)	(1,269,000)
Department of State	
Nonproliferation, antiterrorism, demining and related programs (emergency appropriations)	20,000,000
Total, Chapter 3:	
New budget (obligational) authority	70,000,000
(By transfer) (emergency appropriations)	(3,769,000)
CHAPTER 4	
DEPARTMENT OF THE INTERIOR	
National Park Service	
Operation of the national park system (emergency appropriations)	2,320,000
Construction (emergency appropriations)	3,680,000
Total, Chapter 4:	
New budget (obligational) authority	6,000,000
CHAPTER 5	
LEGISLATIVE BRANCH	
ARCHITECT OF THE CAPITOL	
Capitol visitor center (emergency appropriations)	100,000,000
CAPITOL POLICE BOARD	
Security enhancements (emergency appropriations)	106,782,000
Total, Chapter 5:	
New budget (obligational) authority	206,782,000
CHAPTER 6	
DEPARTMENT OF TRANSPORTATION	
Federal Aviation Administration	
Facilities and equipment (Airport and Airway Trust Fund) (contingent emergency appropriations)	100,000,000
CHAPTER 7	
DEPARTMENT OF THE TREASURY	
Federal Law Enforcement Training Center	
Salaries and expenses (emergency appropriations)	3,548,000
United States Secret Service	
Salaries and expenses (emergency appropriations)	80,808,000
Total, Chapter 7:	
New budget (obligational) authority	84,356,000
Total, title II:	
New budget (obligational) authority	2,441,445,000
Emergency appropriations	(1,786,818,000)
Contingent emergency appropriations	(654,627,000)
(By transfer) (emergency appropriations)	(3,769,000)
TITLE III - YEAR 2000 CONVERSION OF FEDERAL INFORMATION TECHNOLOGY SYSTEMS	
FUNDS APPROPRIATED TO THE PRESIDENT	
Information technology systems and related expenses (emergency appropriations)	29,917,000
Contingent emergency appropriations	2,220,083,000
LEGISLATIVE BRANCH	
SENATE	
Contingent Expenses of the Senate	
Sergeant at Arms and Doorkeeper of the Senate (by transfer) (emergency appropriations)	(5,500,000)
HOUSE OF REPRESENTATIVES	
Salaries and Expenses	
Salaries, officers and employees (by transfer) (emergency appropriations)	(6,373,000)
GENERAL ACCOUNTING OFFICE	
Information technology systems and related expenses (by transfer) (emergency appropriations)	(5,000,000)

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999— continued

	Conference
THE JUDICIARY	
Judicial information technology fund (by transfer) (emergency appropriations)	(13,044,000)
DEPARTMENT OF DEFENSE - MILITARY	
INFORMATION SYSTEMS TECHNOLOGY AND SECURITY	
Operation and Maintenance	
Information systems technology and security (contingent emergency appropriations)	1,100,000,000
Total, title III:	
New budget (obligational) authority	3,350,000,000
Emergency appropriations	(29,917,000)
Contingent emergency appropriations	(3,320,083,000)
(By transfer) (emergency appropriations)	(29,917,000)
TITLE IV - OTHER EMERGENCIES	
CHAPTER 1	
DEPARTMENT OF COMMERCE	
National Oceanic and Atmospheric Administration	
Operations, research, and facilities (contingent emergency appropriations)	5,000,000
RELATED AGENCY	
Small Business Administration	
Disaster Loans Program Account:	
Direct loans subsidy (contingent emergency appropriations)	71,000,000
Administrative expenses (contingent emergency appropriations)	30,000,000
Total, Small Business Administration	101,000,000
Total, Chapter 1:	
New budget (obligational) authority	106,000,000
CHAPTER 2	
DEPARTMENT OF DEFENSE - CIVIL	
DEPARTMENT OF THE ARMY	
Corps of Engineers - Civil	
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee (contingent emergency appropriations)	2,500,000
Operations and maintenance, general (contingent emergency appropriations)	99,700,000
Total, Chapter 2:	
New budget (obligational) authority	102,200,000
CHAPTER 3	
FUNDS APPROPRIATED TO THE PRESIDENT	
Child survival and disease programs fund (contingent emergency appropriations)	50,000,000
Assistance for the New Independent States of the former Soviet Union (contingent emergency appropriations)	46,000,000
Unanticipated needs (contingent emergency appropriations)	30,000,000
Total, Chapter 3:	
New budget (obligational) authority	126,000,000
CHAPTER 4	
DEPARTMENT OF THE INTERIOR	
United States Fish and Wildlife Service	
Construction (contingent emergency appropriations)	25,000,000
National Park Service	
Construction (contingent emergency appropriations)	10,000,000
United States Geological Survey	
Surveys, investigations, and research (contingent emergency appropriations)	1,000,000
Total, Chapter 4:	
New budget (obligational) authority	36,000,000

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999— continued

	Conference
CHAPTER 5	
DEPARTMENT OF LABOR	
Employment and Training Administration	
Training and employment services (emergency appropriations)	7,000,000
CHAPTER 6	
DEPARTMENT OF TRANSPORTATION	
Coast Guard	
Acquisition, construction and improvements (contingent emergency appropriations)	12,600,000
CHAPTER 7	
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	
Community Planning and Development	
Community Development Block Grant fund (contingent emergency appropriations)	250,000,000
INDEPENDENT AGENCY	
Federal Emergency Management Agency	
Disaster relief (contingent emergency appropriations)	906,000,000
Total, Chapter 6:	
New budget (obligational) authority	1,156,000,000
Total, title IV:	
New budget (obligational) authority	1,545,800,000
Emergency appropriations	(7,000,000)
Contingent emergency appropriations	(1,538,800,000)
TITLE V - COUNTERDRUG ACTIVITIES AND INTERDICTION	
CHAPTER 1	
DEPARTMENT OF AGRICULTURE	
Agricultural Research Service (contingent emergency appropriations)	23,000,000
CHAPTER 2	
DEPARTMENT OF JUSTICE	
Drug Enforcement Administration	
Salaries and expenses (contingent emergency appropriations)	10,200,000
Immigration and Naturalization Service	
Salaries and expenses (enforcement and border affairs) (contingent emergency appropriations)	10,000,000
Total, Chapter 2:	
New budget (obligational) authority	20,200,000
CHAPTER 3	
BILATERAL ECONOMIC ASSISTANCE	
Department of State	
International narcotics control (contingent emergency appropriations)	232,600,000
CHAPTER 4	
DEPARTMENT OF TRANSPORTATION	
Coast Guard	
Operating expenses (contingent emergency appropriations)	16,300,000
Acquisition, construction, and improvements (contingent emergency appropriations)	117,400,000
Total, Chapter 4:	
New budget (obligational) authority	133,700,000
CHAPTER 5	
DEPARTMENT OF THE TREASURY	
Departmental offices (contingent emergency appropriations)	1,500,000
United States Customs Service	
Salaries and expenses (contingent emergency appropriations)	106,300,000
Operations, maintenance and procurement, air and marine interdiction programs (contingent emergency appropriations)	162,700,000
Customs facilities, construction, improvements and related expenses (contingent emergency appropriations)	7,000,000
Total, United States Customs Service	276,000,000
Total, Department of the Treasury	277,500,000

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999— continued

	Conference
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT	
Office of National Drug Control Policy (contingent emergency appropriations)	1,200,000
Special forfeiture fund (contingent emergency appropriations)	2,000,000
Total, Chapter 5:	
New budget (obligational) authority	280,700,000
Total, title V:	
New budget (obligational) authority	690,200,000
Grand total:	
New budget (obligational) authority	14,864,990,000
Appropriations	(2,000,000)
Emergency appropriations	(3,906,637,000)
Contingent emergency appropriations	(11,023,353,000)
Rescissions	(-67,000,000)
(By transfer) (emergency appropriations)	(375,604,000)

Mr. OBEY. Mr. Speaker, I yield two minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me time and for his extraordinary leadership in guiding us to a bill that many of us can now support on the floor.

As ranking member on the Subcommittee on Foreign Operations of the Committee on Appropriations, I unfortunately had to oppose my own subcommittee legislation when it came to the floor. I am pleased to say, Mr. Speaker, that under the leadership of the gentleman from Wisconsin (Mr. OBEY), working with our subcommittee chair, the gentleman from Alabama (Mr. CALLAHAN), although Mr. CALLAHAN is not fully supportive of some of the increases in the bill that we have, we are able to have a product on the floor today that I can support.

The conference for the foreign operations bill has a total funding of $13.5 billion for ongoing programs and happily and at long last $18 billion for the International Monetary Fund. With the International Monetary Fund, the full $18 billion is included. The bill includes language taken in large part from the bipartisan bill reported out of the Committee on Banking and Financial Services calling upon the administration to seek and obtain important policy changes at the IMF in areas such as labor rights, environmental protection, changing investor expectations about official rescues the moral hazard argument, opening markets and taking social conditions into account in loan programs.

The inclusion of the IMF funding in the bill ends a yearlong effort by the House Republican leadership linking this funding to international family planning. That international family planning linkage is still there for UN arrears. It took an international financial crisis to end the linkage between IMF funding and the prohibitions that our Republican colleagues want to include in this bill on international family planning. What will it take at the UN? Will we lose our vote before the Republicans will agree to de-link the international family planning prohibitions from the UN arrears?

The additional funding in this bill will help a number of vital programs—$200 million has been added for the New Independent States and increased funding for other areas. The bill fully funds UN arrears, I am pleased to say, for the global environmental facilities.

All in all, I am pleased with the bill, and I will support it.

Mr. NEUMANN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, four years ago, 73 new Members came to the House of Representatives. We came here facing Medicare on the verge of bankruptcy, we came here facing $200 billion a year deficits, and we said we were going to be different in the House now. We said we are going to get us to a balanced budget by controlling wasteful government spending. We rejected the plans of the past that raised taxes to try and balance the budget, it is the wrong solution. We said we were going to get government spending under control, and then we passed the legislation that had budget caps in place that would actually bring that about.

So what is happening here tonight? Well, four years later we have gotten to a point where we have a balanced budget. In fact, for the first time since 1969, for the last 12 months running, this government spent less money than they had in their checkbook.

The Members of Congress that brought us to this point where we actually have a balanced budget, and we got there by controlling spending rather than by raising more taxes from the American people, that is an accomplishment that they should be proud of. It is something that this whole Congress and the whole Nation should be proud, that we got to this point.

But now look what is going on. Two weeks ago, the Republicans brought a plan to the floor of the House of Representatives to lower taxes, and the Members on the other side, myself included, we said ''No, we can't do tax cuts if it is going to use money from the Social Security surplus.''

Now here it is two weeks later. Where are all those people complaining two weeks ago that we could not do tax cuts with part of this surplus? Where are they tonight? Because tonight what is about to happen is we are about to reach into that Social Security surplus, that money that is supposed to be set aside to preserve and protect Social Security for our seniors, and what is about to happen here tonight is we are going to reach right into that surplus and we are going to spend $20 billion that belongs to be set aside for our seniors and Social Security, and that is wrong.

Let me just say something: The idea of using Social Security money for tax cuts, I oppose that. The idea of using Social Security money for new government spending, I adamantly oppose that. That is much more wrong than what was being proposed two weeks ago.

Frankly, both sides are wrong on this thing. Social Security money, this surplus that we are looking at today, Social Security money should be used for Social Security, period.

I rise in strong opposition to this bill tonight. It is not fair to the seniors of this Nation that we take money that is supposed to be set aside for Social Security and we go and spend it on new government spending programs. Lest there be anyone in this chamber that misses what is going on in this bill, the spending caps, yes, they are being honored. But there is $20 billion under a classification called ''emergency spending'' that is spending outside the budget caps.

So make no mistake about it. If this bill passes, $20 billion of that surplus that we worked so hard to bring to the American people is going to disappear this evening as we cast final vote of this House of Representatives for this term.

Mr. Speaker, I reserve the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, I yield two minutes to the gentleman from Texas (Mr. ARMEY), the distinguished majority leader.

Mr. ARMEY. Mr. Speaker, aside from reversing our military's decline, boasting our missile defense efforts, directing scarce education dollars to the classroom, this bill gives us a more responsible international economic policy by reforming the IMF.

When the President first asked Congress to provide money for the International Monetary Fund, many in this town expected us to give it away with no-questions-asked and no-strings-attached. But this House said ''Wait a minute.''

By allowing time for deliberation, we have furthered a debate that I believe will transform our policies in the world economy. Because of our decision, the IMF is now a thoroughly chastised institution and everyone from Henry Kissinger to Tony Blair to Milton Friedman and George Shultz now agree it must be radically changed. This bill is a first step.

The IMF reforms in this bill, while much less than I would have preferred, are significant. For the first time, the IMF will be required to open its books to the public and expose itself to taxpayer accountability. For the first time, not only the IMF, but also the major governments that control it, will publicly endorse prudent lending reforms to address the moral hazard problem. The IMF must move away from its lend cheap lending policies that have inflamed moral hazard, encouraged reckless investment and led to the instability that plagues much of the world today.

For the record, let me be clear about one point: We expect that the lending reforms, that is, the interest rate and maturity reforms, will be broadly applied. This includes situations in which a country is experiencing a balance of payments problem that is related to larger structural deficiencies. For example, the IMF assistance of the type provided to Indonesia, Russia, Thailand and in the future perhaps Brazil and other countries with liquidity as well as other problems would be subject to this reform. A narrow application of these reform provisions would not be justified.

Mr. Speaker, if 1929 taught us anything, it taught us that a wrong-headed response to a financial setback can turn a crisis into a calamity. I remain very much concerned that that could happen to the United States and to the world today.

Through this IMF debate and by these IMF reforms we have put the administration on notice. Congress intends to help shape our international economic policies, and to help put the

world back on a course of continued economic growth.

Mr. NEUMANN. Mr. Speaker, it is my privilege to yield two minutes to the gentleman from Nevada (Mr. ENSIGN), a classmate of mine who I have been proud to serve with in Congress.

Mr. ENSIGN. Mr. Speaker, I want to thank my classmate for yielding me time.

Mr. Speaker, this is a bill that weighs almost 40 pounds that we received at 4 o'clock this afternoon. Two years ago at the end of the Congress, I stood up in the Republican Conference and protested the process, because the Republican leadership was bringing us a bill at the very end that they did not give us the time to go through. Republicans criticized Democrats for this same kind of a process, and, frankly, they were right to criticize. But here we are in the same institution doing the same thing that the Democrats did.

How can anybody rightfully vote for a bill that you have no chance to go through and to find out whether there are dangerous provisions for your district, for your state or for the country? There is no way it is possible, it is physically impossible, for you and your staff to go through this bill from 4 o'clock this afternoon, between that time and the vote at 7 o'clock tonight.

Not only that, I have several other problems with the bill. As the gentleman from Wisconsin (Mr. NEUMANN) said, we are borrowing from the Social Security trust fund, and it is not for tax cuts. This is just purely for spending, with a lot of that spending going overseas.

There are some very laudable projects, including transportation, including military spending, antidrug programs and education programs, which, by the way, are offset, and I support those programs. But, Mr. Speaker, when we go into emergency spending, that is against everything that we came to Congress to stop.

It is time to pay down the national debt. It is time to protect Social Security by actually putting real assets into the Social Security trust fund.

Mr. Speaker, I came here to change the way that we did business in Washington, but, unfortunately, this is business as usual.

□ 1830

Mr. OBEY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I am most reluctantly going to vote yes for this bill, because in contrast to the Republican bill which gutted the President's education budget, this bill is $2.6 billion above the President's education budget. This bill restores the fuel assistance program. This bill restores the summer jobs program. It funds to some degree our international responsibilities, and I think, therefore, that unless we want to tie up the government for another month, we have no choice but to vote yes on this bill.

I have already made quite clear in my previous statement on the bill why I think, or what I see in this bill that I believe is wrong. And I have also made quite clear what should be in this bill that is not.

Having said that, let me simply say that I do not find it surprising that a majority party which would say no to campaign reform, a majority party which would say no to HMO reform, would, in the end, be reduced to bragging about the fact that they have killed the plan to provide better schools for many children in this country who go to schools which, if they were prisons, would be closed by Federal judges because they are in such a mess. I know that there are many other items that we would like to see in this bill that are not. We will simply have to take that debate to the American people.

I make no apology for the effort that those of us on the Democratic side of the aisle have made to try to restore key funding in this bill for education, for health, for job training and the like. I think the differences between the two parties is pretty well summed up by something I heard Studs Terkel say a while back. He said the following:

> Cursed be the Nation where all play to win and too much is made of the color of the skin, or we do not see each other as sister and brother, but as being threats to each other.
>
> Blessed be the Nation that keeps its waters clean, where an end to pollution is not just a dream.
>
> Cursed be the Nation without equal education, where good schools are something that we ration, or the wealthiest get the best that is able, and the poor are left with crumbs from the table.
>
> Blessed be the Nation with health care for all where there is a helping hand to all who fall, where compassion is in fashion every year, and people, not profits, is what we hold dear.

I really believe that that, in the end, sums up the differences in budget priorities between those of us on this side of the aisle who have fought for education and health care and environmental cleanup, and those on the other side of the aisle who have fought on most occasions for tax cuts that primarily benefit the wealthiest 5 percent of people in this society, for defense expenditures that go more to reward military contractors than to improve military preparedness, and we will just have to take these issues into the campaign.

Let me say that I once again think that the process by which this bill has been produced is an abomination. It represents an absolute, total institutional failure. We should not be here in this position, but we are, and we have to make some hard choices, given the only choices before us. That is why I will reluctantly urge a yes vote on this proposal.

Mr. LIVINGSTON. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Louisiana (Mr. LIVINGSTON) has 12 minutes remaining; the gentleman from Wisconsin (Mr. OBEY) has 14 minutes remaining; and the gentleman from Wisconsin (Mr. NEUMANN) has 15 minutes remaining.

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. NEUMANN. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Nebraska (Mr. CHRISTENSEN), another classmate of mine.

Mr. CHRISTENSEN. Mr. Speaker, I rise because of the process of this bill more than anything.

As my colleagues heard earlier today, at about 4 o'clock we got this bill, 40 pounds, 4,000 pages, $500 billion, and nobody, nobody has read this bill. Maybe a few staff people, maybe a couple of people behind closed doors have read this bill. But the American people are going to find out through the news media over the next week what is in this bill, because we sure do not know what is in this bill, but we have heard a lot of things that are in this bill, but by golly, we are going to find out a whole lot more over the next few weeks of what is in this bill. That is the way this process has been done.

Mr. Speaker, I came here 4 years ago talking about tax cuts, smaller government, doing the right thing. Well, I am not running for reelection, I am done, but this is not the way that I came to Washington, and this is not what I came to do, to vote for a bill that is $20 billion over, has very little tax cuts in it, is not what we told the American people we would do. This is an embarrassment. This is an embarrassment for the American people that this process, the process has been done this way.

There are a lot of good projects in here, but no Member of Congress should be able to sleep with themselves tonight knowing that they voted for a bill they have no idea what is in here. They do not know what is tucked in here.

As my friend from Mississippi said earlier today, we do not know what kind of provisions are in here for the Balkans; we do not know what kind of provisions are in here for issues that are important to social conservatives, to liberals, to fiscal conservatives. This is a sham. It is an embarrassment, and we should vote no on this ugly bill.

Mr. LIVINGSTON. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Ohio (Mr. REGULA), the great distinguished chairman of the Subcommittee of Interior and Related Agencies of the Committee on Appropriations.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me this time.

I would just point out in discussing the Interior section of this bill that it is very environmentally friendly, but it is also very fiscally sound. The total spending of the Interior bill is the same as 1998, no increase. That is because we

developed some good management techniques in working with our public lands. At the same time, the spending for parks is up $99 billion.

In terms of the forests, we eliminate purchaser credit, we emphasize forest health, recognizing that as we talk about global warming, one of the great ways to reduce CO2s is to increase our forestry sources, the best possible converters of CO2 to oxygen.

We reduced the forest cut to $3.6 billion board feet, while at the same time we are growing 20 billion board-feet in our national forests. The bill includes $340 million for clean water programs to work with the States. Everglades restoration, $140 million to restore the treasures of the Everglades.

The Appalachian Trail will be finished. The funds in this bill will allow the Appalachian Trail to be totally in public ownership for the first time in history. We fund the millennium program. This is new, and is in recognition of this important landmark time in our Nation's history. The money will be used to restore the Nation's treasures.

Indian health, we were concerned. We put $141 million extra over the President's request for Indian health.

The cultural treasures of this Nation, the Smithsonian, the National Gallery, the Kennedy Center, the Holocaust Museum, all with increased funding. Energy efficiency and conservation, about $1 billion, in recognition that as a Nation we are dependent on energy, but also a recognition that we have to develop ways to burn it more efficiently and in a cleaner way.

The bill protects our wilderness areas. Lastly I would point out that over the past 4 years we have decreased spending by $2.2 billion less than requested by the President.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. STOKES).

Mr. STOKES. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

Mr. Speaker, I rise in support of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies component of the fiscal year 1999 Omnibus Appropriations Act. First, I want to express my appreciation for the hard work done on this component of the bill by the distinguished chairman, the gentleman from Illinois (Mr. PORTER) and the distinguished ranking member, the gentleman from Wisconsin (Mr. OBEY). Both of them deserve credit for their leadership in crafting this bill.

In its initial form, this funding measure would have threatened the quality of life and the hopes, dreams and aspirations of the most vulnerable among us.

The omnibus measure that we will vote on here today restores $871 million in funding for the summer jobs program. As such, 530,000 young people will benefit from the education training that this program provides. The restoration of more than $1 billion in funding for the low-income home energy assistance program means that needy families and seniors will not be forced to choose between paying utility bills and putting food on the table, or buying medicine. An estimated 5.5 million LIHEAP households, two-thirds of which urge less than $8,000 a year, will benefit from this investment.

The restoration of $250 million in funding for the opportunity areas for youth programs means that our Nation's hardest-to-reach young people will have access to the employment training and skill readiness services that they need to prepare them to participate in our Nation's robust economy in the global market.

The restoration of funds for the school-to-work program, will further State and local efforts to create pathways to future careers for more than 1 million students in over 3,000 high schools. These students will now have access to the courses recruiting, training, and counseling that they need to facilitate their entry in the workforce. I am especially pleased that the bill includes $110 million to address the HIV-AIDS epidemic in the African-American community.

Mr. Speaker, this is a good bill. I urge the Members to vote ''yes'' on the bill.

Mr. NEUMANN. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR), a Democrat from the other side of the aisle who also is in opposition to this bill.

Mr. TAYLOR of Mississippi. Mr. Speaker, I would like to thank the gentleman for yielding me this time.

Mr. Speaker, we keep hearing about all of the money for defense in this bill. Let me remind my colleagues that less than 2 percent of the $507 billion that goes into this bill is for defense. That is a pretty sorry trade-off. Less than 2 percent of all that is spent.

What do we spend more money on? We spend $12.5 billion on foreign aid. We spend $19.4 billion on international financial institutions. There is a $94 million program to buy out the Bering Sea pollock fleet, as if that was of great national importance. There is $100 million for a new visitor's center right out front, and $103 million for our protection, not for our citizens' protection, but for additional protection for Members of Congress.

As bad as what we know about the bill is, it is what we do not know that troubles me. Mr. Speaker, 4,000 pages of documents that the average Member of Congress has had less than 3 hours to study. And it is what we do not know that scares me to death. We know it creates new commissions, we know it repeals things like the commercial fishing industry, Vessel Anti-Reflagging Act, but it is the great unknown.

I ask the American citizens, would you go to a lawyer and present him a contract for his advice and his guidance and when it comes time for you to sign it he says, but by the way, I did not read it. Would you go to a tax accountant and turn over all your records to him and he fills out your forms but as you are signing it and sending it off to the IRS, he says, but by the way, I never took a look at the information you gave me.

Mr. Speaker, we have already given away our constitutionally mandated authority to declare war between nations. More often than not we have given away our constitutionally mandated authority to regulate commerce between nations. The last thing that stands between this body being a body that does something and nothing but a debating society, is our ability to decide where money is spent, and if my colleagues vote for that, they have given that away as well.

□ 1845

Mr. LIVINGSTON. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I have heard a few arguments against this bill. Certainly, I am not going to defend the process, because I hate the process. As the chairman of the Committee on Appropriations, I think it is terrible that forces within the Congress militated against the final passage of all of our bills before the end of the fiscal year.

The fact is that we passed 12 of the 13 bills before the end of the fiscal year in the House of Representatives. I think we exceeded the record of the other body. We did not get them all enacted separately, so we are puting these in a remaining package. But, all of those have passed the House, and they make up components of this bill.

If the gentleman does not know what is in the bill, he could have looked at the reports from the various committees. He would see 90 percent of this bill in the various committee component parts that passed this House months ago.

Is social security jeopardized? Of course not. The minority party neglected worrying about social security from 1967, when Lyndon Johnson changed the rules and allowed us to take off social security funds in order to mask the cost of the Vietnam War, and they did not worry about it for 30 years.

We came along and brought fiscal integrity to the government. We are balancing the budget for the first time in 30 years. We are going to take care of social security. There is not an argument there. Are we way behind where we should be? No. We are ahead of the schedule of 10 of the last 15 years. We are behind in 5 of them in terms of the appropriations process.

Is there emergency spending in here? Yes, there are really emergency needs. The Budget Act calls for recognition that if there are real emergency needs, like helping defend diplomats from getting blown up by terrorists, that we could attend to those and not have them count against us by worthless budget finagling that really does not mean anything. We have needs. We have to provide for them.

Finally, on the issue of defense that the gentleman raised, let me simply say that yes, the $8 billion we are putting into defense here, may be only 2 percent of the package, but we already passed the defense bill. It is enacted into law. That is $260 billion. This is $8 billion on top of that. We are doing our part to address the defense needs of this country.

In terms of, doing our part for education, 30 years ago the Federal Government never got involved in education. Today we pay about 5 percent of the education bill. The States and localities and communities pay 95 percent of the tab. We have $32 billion in this bill for education. We are doing our part. We are doing it well. We might not have done it pretty, but we are doing our job and the job of the people of the United States.

Mr. NEUMANN. Mr. Speaker, it is my privilege to yield 2 minutes to my good friend, the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, a bad bipartisan bill is still a bad bill. I appreciate the efforts of Republican leaders to get extra money that was vitally needed for national defense. The defense spending is badly needed, as well as emergency relief for farmers and hurricane victims, but those do not justify the rest of this bill. This bill raises Federal spending several billion dollars higher than even President Clinton requested several months ago.

We should celebrate balancing the budget, but not with a spending spree. We should be lowering taxes and paying off the national debt, not using the surplus as the latest of many excuses to spend more money.

A great many Members of Congress worked long and hard this year to hold the line on spending. I am glad that our chairman of the Committee on Appropriations, the gentleman from Louisiana (Mr. LIVINGSTON) fought so hard to control spending, and I know that he did. Unfortunately, at the end of the process the most liberal Democrats in Congress had the leverage to get the President to back their demands, their insistence, for more spending.

The President knows his future hinges on the support of liberals in Congress, who do not care what he may have done as long as he fights for their big government programs, because his future depends upon their support. He made it clear he would veto anything that did not give the most liberal of the Democrats whatever they wanted in exchange. This made it difficult, if not impossible, to negotiate for anything different.

The root problem remains that problem of trust. A year ago the President agreed to a limit on this year's spending in exchange for extra spending which he received last year. Earlier this year he pretended that he opposed tax cuts because he said he wanted to preserve the entire surplus for social security. Now he wants to spend almost one-third of that surplus. His word is in doubt. This is protection money, and that is wrong. It is wrong for anyone to turn a blind eye toward the President's conduct, so long as he delivers our tax money to pay for the big government that they want.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I think the last speaker's comments did not add to this debate. They were representative of some of the unfortunate kind of rhetoric that has put this Congress in a position where it is at this last minute, at this last gasp, trying to redeem itself. It is hard to do that because we have done so little up to this point.

I will vote for this bill, like the ranking member of the committee will vote for this bill. I, like others, have worked hard on much of this bill. But those speakers who have carried this bill, this 40-pound bill, to the floor and indicated that this was not the process that should be followed are absolutely correct.

The Committee on Appropriations was made late in its work because the budget resolution did not pass. It did not pass, not because there were any Democrats that opposed it or the President could have vetoed it, because he could not. He does not involve himself in the budget process.

It did not pass because the chairman of the Committee on the Budget in the Senate who is a Republican said that the House Resolution is dead on arrival. The chairman of the Senate Committee on Appropriations said the House Resolution is dead on arrival. We could not work under this resolution. So the majority party in the House and the majority party in the Senate could not agree, so we deferred and deferred and deferred. The labor-health bill, which is one of the most important, I think, in this bill, was not even brought to this floor except to make a point, a political point in the last days of this session.

This is an unfortunate process, but we have little alternative at this point in time but to fund the government. I want to say to my good friend, the gentleman from Florida (Mr. BILL YOUNG), I am pleased that we put some more money for defense. We need to look at the defense budget. We are underfunding it. So I will reluctantly vote for this bill, but this bill is a demonstration of failure.

Mr. NEUMANN. Mr. Speaker, it is my privilege to yield 2½ minutes to my good friend, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, this is not about process, it is about substance. Sure, there are good things in this bill. This bill has 4,000 pages. There are bound to be good things in this bill. It weighs over 40 pounds. It is bound to have good things in here. But this bill represents everything I fought against as a fiscal conservative in this House, and I fought as a Republican who wanted to change this process and this place.

Republicans got more money for defense. They did not look at closing bases, they did not look at ending needless weapons systems, they did not look at burdensharing. Democrats wanted more money for social programs. Instead of paying for it, we are taking it out of the surplus. Both won, so it is a big celebration. It is bipartisan. But that is what we have done since 1969. That is how we got in the mess we are in. We are right back into it. What bothers me is it is happening under my watch and our watch.

There is $21 billion over the budget caps. We can call it emergency spending. It is over the budget caps. It is front-loaded. Now, are we going to cut it out next year and the year after? No, we are talking about $100 billion above the caps over 5 years. There is $3.5 billion in the year 2000 budget, in this budget that we are voting on. Then there is the D.C. pension fund, $2.4 billion, of revenue? What about the unfunded liability? We are putting it on budget, so we are counting this liability as revenue? We are doing it under our watch?

Then there is $100 million for a Capitol visitor's center. I do not mind that, I think we need it. But we are putting it in as an emergency expenditure under the antiterrorism position? Mr. Speaker, this is a bad bill. It should not be voted out of this House.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. HEFNER).

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, the other day I did not have but 20 seconds, and I did not finish what I wanted to say in the 20 seconds.

First of all, I would like to say to every Member of this House that I have worked with over the years, if I have done anything during that time in the heat of debate that would offend anybody, I would like to apologize and ask their forgiveness.

The thing that bothers me about this, and I am not going to talk about the budget, but I will talk about the political process. Having been here for 24 years, I have seen in the last few years the political arguments and the debates have become so vicious. We can turn on the television, look at the talking heads, and they are all screaming. They are all preaching hatred.

To me, that is not good for politics, and that is what, in my view, is keeping people from going to the polls and voting, because they get fed up with us. They get fed up with all the negative things that they hear. We do not talk a lot about the issues, neither party. It is ''gotcha.''

In the next few years what worries me, the most important person in our campaigns is going to be the opposition

research guy. If Members have ever done anything in the past 20 years that they are not proud of, they had better not run for office, because they are going to bring it up.

It is so sad, because we live in a Nation where people are forgiven and people are courteous, but all they see when they show the campaign ads on television, they are so vicious. They are not true. Nobody is as bad as they are painted on television. To me, this is a tragedy for our process.

I will cherish the 24 years that I served in this body. I have made some great friendships here and hopefully have been able to do some good things for the State of North Carolina and the Eighth District. I hope, for all Members, that some day we can see some way to do the campaign reform to where we will not have to be so vicious in our campaigning.

I hope that all of the Members live as long as they want, and never want as long as they live. God bless you.

Mr. LIVINGSTON. Mr. Speaker, I am pleased to yield 2 minutes to the very distinguished gentleman from Florida (Mr. YOUNG), chairman of the Subcommittee on National Security.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, 2 minutes is not anywhere near enough to discuss even the defense part of this bill, but I will give it a quick try.

First of all, let me say that everyone that has spoken here this evening so far is correct. It is a good bill, it is a terrible bill; the process is unacceptable, it just does not work; but it was the only way to get here where we are tonight to keep the government functioning for the balance of the fiscal year.

When we are dealing with 435 people in this House, 100 people in the other House at the end of the hall, and at the White House, that is 536 people that had to come together, and 536 people are never going to agree on a perfect bill.

It has been suggested that some of the defense money was under the emergency proclamation. That is true. The largest single part of the defense bill, however, is $1.9 billion for the deployment of U.S. troops to Bosnia. Other large portions of the bill go to intelligence.

When we just remember Kenya and Tanzania, where our embassies were bombed, with much loss of life and much injury, more intelligence against terrorism, more intelligence against military threats to our own interests, are important. Yes, there is a substantial amount of money for intelligence here.

Another large portion of this bill is missile defense. The Chinese have developed tremendous missile capability, using much of the technology developed by American industries that was allowed to go overseas to China.

□ 1900

The North Koreans not only developed weapons of mass destruction, but also the missiles with the ability to carry them to wherever, to Hawaii, to Alaska. The last North Korean missile shot, some of the debris fell near the Aleutian Islands. The Aleutian Islands are part of the United States of America. In addition, we increased the President's request for readiness funding in this bill by 30 percent. We recognized the need for more investment in readiness and for troop morale.

Mr. NEUMANN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Mrs. LINDA SMITH), another classmate.

Mrs. LINDA SMITH of Washington. Mr. Speaker, I reluctantly stand here in opposition to this bill because it breaks the balanced budget deal and spends an additional $20 billion out of Social Security, the trust fund that says you can trust us to put your long-term security money in and we will spend that money for your long-term security.

This bill has a lot of pork. And no, I have not read the 4000 pages. I do not think most Members have. But I know it saps $20 billion out of Social Security. But worst yet, it charges to my kids and grandkids a bill that they are either going to pay with a loss of Social Security or they are going to pay it with higher taxes, because we do not have the discipline now to say no to pork barrel spending.

Worse yet, I just believe it breaks our promise, the promise the President made, the promise we made to save Social Security first. We did not put it first. We did not even put it second in this bill. I am not sure what place it takes, but it certainly is not first or second.

Just three weeks ago, we faced the issue of whether we would take money out of Social Security for tax breaks for the American people, and some Members on this floor were so smart, they said, if we do not give tax breaks, the liberals and the President will want to spend that on additional programs, and today we stand with them wanting to spend it on additional programs.

I have here a part of the budget spreadsheet that we have been using. It showed we were going to take $37 billion out of Social Security in the last balanced budget, and this takes it to $57 billion out of Social Security, leaving nary a few dollars left for the long-term security of the people in this country.

I guess what I ask Members is this: Please do not vote for this unless they have read it. Please reconsider whether we rob the Social Security trust fund. Let us keep our commitment to the American people.

Mr. OBEY. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I would simply say to those Members on the other side of the aisle, if you do not like the process that produced this bill, I would simply point out that your party runs this place. It was your party that set the schedule that provided more days off than we were in session in the past year so that the Committee on Appropriations could not finish its work. It is your party that could not pass a budget for the first time since 1974. It is your party that allowed its own caucus to be governed by the CATs, the conservative Members of your caucus, that decided that you wanted to produce partisan bills rather than bipartisan bills and, as a result of that, wound up with legislation that could not pass this House and legislation that your Republican friends in the Senate would not even buy.

If you do not like the length, if you do not like the weight, if you do not like the height of this bill, I would suggest that you simply look in the mirror, because your party and the way it ran this House produced it.

With respect to the supplemental, I would simply note the President, bad as it is, the President asked for $14 billion in the supplemental. This bill now contains 20.8 in the supplemental. And all but about half a billion dollars was added at the insistence of your leadership, not ours. So, again, if you do not like most of the added emergency spending that was added in this bill by the Congress above the President's request, look in the mirror because your party demanded it.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Louisiana (Mr. LIVINGSTON) has 5½ minutes remaining, the gentleman from Wisconsin (Mr. NEUMANN) has 5 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 6½ minutes remaining.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SAXTON).

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I rise in support of this important but imperfect bill. I rise in particular to make note of some reforms that are being made in conjunction with $18 billion that is in this bill for the International Monetary Fund.

Mr. Speaker, the IMF has gone around the world, from Mexico to Thailand to South Korea to Indonesia to Russia making loans which have averaged 4.7 percent interest. This interest rate has gone to provide perverse incentives to investors who make risky investments, and this has added to the need for even more IMF funding.

This reform package will stop that and is a positive improvement in international economic policy, as noted today in the lead editorial of the Washington Times. As an advocate for the comprehensive long-term reform of the IMF, I believe the new congressional reforms will move the IMF in the right direction. Much more remains to be

done, but we must seize the opportunity for improving the IMF operations, and this bill moves in that direction.

Mr. NEUMANN. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. MCINTOSH), chairman of the CATs organization.

Mr. MCINTOSH. Mr. Speaker, 11 years ago in 1987, a Democrat Congress sent President Reagan a massive omnibus bill. It weighed about 24 pounds, had about 2100 pages. And in his State of the Union address the next year, President Reagan took that bill, slammed it on the table and said, Congress should not send another one of these. If you do, I will not sign it.

Today we have the reverse. A Democrat President is forcing this Congress to pass a massive omnibus bill on a veto threat that if we spend anything less, he will veto it and shut down the government.

Ten years ago that omnibus bill cost the taxpayers $604 billion. This year's omnibus bill costs them $577 billion. Ten years ago the omnibus bill totaled 2100 pages. This year, it is 4800 pages, more than twice as long, and weighs 40 pounds.

The bottom line, President Clinton has effectively denied the American people a tax cut for the middle class, for the families, and he did so saying that we cannot spend that surplus, we have to spend it on Social Security next year. But for two weeks, Bill Clinton sent up one demand after another, give me a billion here, a billion here, a billion here, all to be spent in Washington.

Now the taxpayers know the truth about Bill Clinton. He is all too willing to raid that Social Security trust fund to satisfy his demands for more Washington spending. How low we have sunk in the White House in 10 years.

Taxpayers need someone like Ronald Reagan with integrity in the White House and perhaps even more importantly, more conservatives in Congress who will save Social Security first, who will cut taxes for the American family, who will cut taxes for workers in this country, who will get back on track with a balanced budget and cut spending in Washington, who will spend more on a strong national defense to protect our shores, and who will help small businesses thrive by cutting through red tape rather than adding 40 pounds worth of legislation and all the rules and regulations that go with it.

Speaking for myself tonight, this bill fails on three out of four of those tests. I will not vote for it. But I do ask the American people, send us more conservatives, send us more Republicans. Next year we will not have to go through this process, and you will not have to see your taxes go up to pay for it.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER) for the purpose of a colloquy.

Mr. HOYER. Mr. Speaker, I wish to engage the gentleman from Arizona in a colloquy.

I would like to take a moment to clarify a provision included in this bill. There has been confusion as to the scope of subsection (d) of section 117. It was my understanding when subsection (d) was added in conference, that it applies to the entire section, to both the new subsection (f)(1) and (2) of section 1610 of title 28. Is that the gentleman's understanding as well?

Mr. KOLBE. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Speaker, I would say, yes, it was the understanding of the conferees that the waiver provision in subsection (d) of section 117 applies to the entire section 117.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Mr. OBEY. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Michigan (Mr. BONIOR), Democratic whip.

Mr. BONIOR. Mr. Speaker, 9 months ago the President of the United States stood in this Chamber behind me and he set out a vision for a stronger America, better schools, HMO reform that puts patients first, a cleaner environment, a commitment to save Social Security. But for 9 long months, this Congress has done nothing, nothing but investigate, nothing but kill off reform, nothing but answer to the special interests.

There has been such a blatant direct link between special interest money and the Republican agenda that we might as well hang a sign on the front of this Capitol saying, ''Congress for rent.''

That is why they have killed off campaign finance reform. We had a bipartisan bill, bipartisan support to clean up our campaign finance system and force the special interests to quit hiding behind their nasty attack ads. But the Republicans said no.

This Congress had the opportunity to pass bipartisan legislation that would have forced big tobacco companies to stop peddling their cigarettes to children. But the tobacco companies said no.

The American people demanded HMO reform to put medical decisions back in the hands of doctors and nurses and patients, not the insurance companies, but the insurance companies said no.

And when it came time to raise the minimum wage, the special interests weighed in again. They dredged up their old arguments and they opened their wallets wide, and the Republicans said no.

We even had an opportunity to modernize America's schools. But the Republicans said no.

This Republican Congress, controlled by special interests and afroth with partisan frenzy, has ignored this country's working men and women for far too long. School construction, HMO reform, raising the minimum wage, strengthening Social Security, cleaning up political campaigns, to all of these the Republicans have had just one answer: no.

But this Republican Congress did have one big initiative, a blatant attempt to raid the Social Security trust fund. They tried to grab 177 billion from Social Security to squander on election year tax breaks, $177 billion. It seems like every chance he gets, Speaker GINGRICH sticks his hand in the Social Security cookie jar, looking for an early snack.

The next Congress is going to have the responsibility to strengthen Social Security for future generations.

□ 1915

And the American people have a right to a Congress that is committed to saving Social Security first.

So, then, what is the defining achievement of this Republican Congress? They voted to launch an impeachment inquiry that is so unlimited and so out of control that they will never get around to building those schools or reforming HMOs or saving Social Security.

If this Republican Congress is reelected, the next 2 years will just add up to more of the same: Do little, delay, and deluge the American people with more political muck, and we will never get on with the issues the country really cares about.

Democrats have fought hard and we have won some victories. We are in the minority. We do not have the votes, but we were successful in this bill in getting 100,000 new teachers hired so we can reduce class size, instill discipline and give more attention to our young people. We were successful in protecting the environment against environmental riders by the Republicans, and we were successful in stopping the raid on Social Security. And, Mr. Speaker, when we come back in January, when we get a chance to lead this Congress, we will get on with the job that the American people sent us here to do.

Mr. NEUMANN. Mr. Speaker, I yield myself the balance of my time.

I have been here for 4 years. We have come a long ways over those 4 years. We have gotten to a balanced budget for the first time in 30 years. We have restored Medicare, not by raising taxes, as was done in the past. We provided the first family and education tax relief in 16 years. We have come a long ways. We got a lot of things done that a lot of people said could not happen.

I want everyone in this Chamber to know it has been an honor and a privilege to serve here with my colleagues. But as evidenced by what I have here in my hands, that was provided for us this afternoon, we still have a long ways to go in restoring this great Nation that we have here tonight. We have 4,000 pages here in this bill that has not been read by a single Member of this Congress. I guarantee not a single one has read the entire bill.

I just heard the minority whip up here criticizing the Republicans for proposing a tax cut that uses Social Security money, and in the next breath he talks about passing a bill that will use $20 billion out of the Social Security surplus for new government spending. Somehow it is all right for Washington to spend that money but it is not all right for the American people to have it.

Frankly, they are both wrong, if my colleagues really want to know. They are both wrong. Social Security money should be saved for Social Security, period. And that is what this is all about tonight. We have a long ways to go here. We have a long ways to go in this Chamber to get to a point where we actually start doing what is right for the future of this great Nation that we live in here.

I have heard a lot of discussion about good programs. I heard my chairman from the defense subcommittee talk about the need for a missile defense system. He is absolutely right. We are underspending in the military. But when we underspend and we need to reprioritize spending, we should go after government waste and redirect those dollars to where they are more needed, including things like defense and a missile defense system. But, for goodness sakes, let us not pile it full of pork and spend on defense and spend on everything else that we can think of, and effectively wind up taking $20 billion out of the Social Security Trust Fund.

I urge my colleagues tonight to stand up and say ''no''. Send this bill back to the drawing boards and send a message to the American people that we are actually serious about putting real money into the Social Security Trust Fund and that we are serious about staying within the budget caps that we all have agreed to. That is what is best for the future of this great Nation.

Mr. LIVINGSTON. Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. GINGRICH), the very distinguished Speaker of the House, for the last official speech of the 105th Congress and to finish this bill.

Mr. GINGRICH. Mr. Speaker, I thank the distinguished chairman for yielding me this time, and I want to say to both he and the gentleman from Wisconsin (Mr. OBEY) that I suspect most of us share with them a sense of gratitude that this is done, and we appreciate how many hours they spent doing it.

I would say for just a minute, if I might, to my friends who were asking for a ''no'' vote, the perfectionist caucus, ''And then what would you do under our constitution?'' It is easy to get up and say vote ''no'', but then what would they do?

The fact is, under our Constitution, 435 Members of the House, each elected by a constituency based on population, work with 100 Members of the Senate, two from each State, then we work with the President of the United States. And surely those of us who have grown up and matured in this process understand after the last 4 years that we have to work together on big issues. And if we do not work together on big issues, nothing gets done.

The fact is there is a liberal Democrat in the White House, and he legitimately represents the views of the party which nominated him. And there are things he wants in order to sign a bill, and that is legitimate and a part of precisely what the Founding Fathers established: A balance of power. And the fact is conservative Republicans control the House and Senate, much, I might say, to the discomfort of my good friend from Michigan, the Democratic whip, who seemed unhappy at his having to vote ''yes'' tonight. But that is the nature of reality.

So the question is: Can we craft a bill which is a win for the American people because it is a win for the President and a win for the Congress? Because if we cannot find a way to have all three winning, we do not have a bill worthy of being passed.

Now, my fine friends who are perfectionists, each in their own world where they are petty dictators could write a perfect bill. And it would not be 4,000 pages, it would be about 2,200 of their particular projects and their particular interests and their particular goodies taking care of their particular States. But that is not the way life works in a free society. In a free society we have to have give and take. We have to be able to work.

I think of my good friends who are retiring. The gentleman from Illinois (Mr. YATES), on the Democratic side; the gentleman from Pennsylvania (Mr. JOE MCDADE), on the Republican side, who served on this committee for so long. They know and learned the hard way. If we cannot work together, if we cannot produce a bill that can pass muster, if we cannot get 218 votes over here, if we cannot close down a filibuster or get agreement to pass a bill in the Senate, if we cannot get the President's signature, what are we going to do?

The fact is we can be very proud of this Congress. This Congress balanced the budget for the first time since 1969, and we will have a balanced budget again in 1999 with the bill we are passing tonight. This bill does not stop a balanced budget, contrary to the allegations of some people.

We save Medicare without raising taxes. We passed the first tax cut in 16 years. We went from a January 1995 projection of $3.1 billion in deficit to a projection today of $1.6 billion in surplus, and I am proud of the team that worked to get that done. The President signed the bill, the Republican House and Senate leadership authored the bill, and the fact is it was a team effort for the American people.

So I would say to each and every Member of this House, unless they have a plan that they think can get 218 votes over here, can pass through without a filibuster in the Senate and get signed, there is no responsible vote except ''yes''.

I would say to my conservative friends that they have a bill which reforms the International Monetary Fund in precisely the way the majority leader, the gentleman from Texas (Mr. Dick Armey), wanted to do it. We have a bill which stops needle exchanges by the Federal Government. We have the strongest antidrug legislation that has ever been written in this Congress. We have a child online protection act that stops pornography on the internet. We block national testing so that there will not be any kind of national education program.

The teachers program the gentleman from Michigan is so proud of has been rewritten so that all the money goes to local school boards. All the money is controlled by local school boards. And those school boards can hire special education teachers and special needs teachers of any grade level as well as general education teachers. And that, frankly, is Dollars for the Classroom, a program we passed in this body 2 or 3 weeks ago.

People say we should not pass emergency money. Well, my colleagues should go and look at the two bombed embassies and tell me they do not think that is an emergency. Look at the year 2000 problem and tell me that is not going to be an emergency. And then they can be the Members to stand up and explain to their constituents that the air traffic control system does not work or why the Social Security check is not sent out. That is a genuine emergency. Those Members can go out and tell the farmers in Texas or in south Georgia that their drought problem is not an emergency. They can go tell the farmers in Iowa the problem of the collapse of Indonesian prices and the collapse in the price of corn and wheat is not an emergency.

Yes, this is the first Congress to increase defense spending in peacetime since 1985, but, by George, precisely like Ronald Reagan, I would say to my perfectionist friends, Ronald Reagan said protecting our young men and women in uniform was more important than the deficit. And he, in fact, opted specifically for strengthening our defenses.

So I would say to my Republican friends, when we look at $700 million for national missile defense, when we look at blocking the national ID system, when we look at local control over education spending, we, in fact, produced a win-win bill. Yes, our liberal friends get a few things. And in a free society, where we are sharing power between the legislative and executive branch, that is precisely the outcome we should expect to get.

This is a good bill. It deserves a ''yes'' vote by every Member, and it is, in fact, precisely how the American system operates.

Mr. STARK. Mr. Speaker, the omnibus appropriations agreement will pass the Congress

with ease this week and Members of Congress will exchange accolades about what a wonderful bill it is.

Baloney!

For the first time since the budget process was established in 1974, Congress failed to pass a budget resolution—a roadmap for spending your tax dollars. Without a roadmap, you run amuck. That's exactly what is happening in Washington this week.

This omnibus appropriation bill rolls eight separate appropriations bills together and includes special interest provisions designed to buy votes for final passage. The resulting bill is an abomination.

The big picture is that any semblance of budget discipline has disintegrated. The last minute horse trading spent $20.8 billion in funds that were ''surplus'' only by government accounting semantics. The so-called surplus funds are really attributable to a temporary surplus in the Social Security trust funds. The trust funds need this entire surplus—and much more—to fund payments to the Baby Boomers when they retire. This bill spends an extra $20.8 billion because the negotiators were more interested in saving face than saving money. The taxpayers will pay the multi-billion dollar price for this ''one-for-me and one-for-you'' final agreement.

The fine print isn't any prettier: another $1 billion for a star wars-like missile defense system that won't work; $6.8 billion in supplemental defense spending on top of the $271 billion already appropriated through the regular process; the repeal of the tax-exempt status of the National Education Association to get even with teachers who have been supportive of Democratic priorities on education; an increase in the number of H–1B visas so that high tech companies can import cheap labor rather than train US workers; a ban on needle exchange programs in the District of Columbia in spite of all the studies showing that such programs save lives; a moratorium on federal regulations designed to allocate organs fairly in contrast to today's gerrymandered allocation system that needlessly costs lives.

I can count noses and see that this bill will pass. However, I won't be a party to this charade.

Mr. EVANS. Mr. Speaker, this budget plan addresses the needs of working Americans. Today we are taking important steps that will help insure that we save the budget surplus for Social Security, invest in sound education initiatives for our children and provide important relief to our nation's farmers.

We have reached an agreement that goes a long way toward fulfilling our responsibility to the American people. It is a victory for Democrats, as many of the priorities that were headed for the chopping block were saved as a result of our efforts. This budget upholds the values that are important to Illinois' families and that will help build a solid foundation to continue economic growth. We have taken important steps, such as investing in public education, tackling the farm crisis and building and improving roads and bridges and empowering our communities—all without squandering the budget surplus.

I am especially pleased that we are doing right by our nation's children. This bill take important steps to improve the quality of education in our public schools. By funding more teachers, we can have smaller classes that allow teachers to give attention to individual students. I am proud that we are helping communities to hire and keep qualified teachers in order to reduce class size in grades 1 through 3, years so crucial to the development of reading and math skills.

Agriculture has long been a cornerstone of our rural communities and I am proud today that we are providing $5.9 billion to assist farmers suffering from record-low crop prices and severe weather. The package also includes an additional $1 billion in tax relief to protect our farmers as they struggle with unstable foreign markets.

There is much more work to be done. We have many challenges ahead of us. The Republican Congress blocked Democratic efforts to provide simple, yet extensive relief to working families. As a result, we will not provide Americans this year with a livable wage; accountants instead of doctors will be making health care decisions for too many Americans; the influence of special interests will continue to go unchecked in campaigns and too many of our children will be taught in old and dilapidated schoolrooms. Americans deserve a minimum wage and a ''Patient's Bill of Rights'', comprehensive campaign finance reform, and modern, up to date schools for our children.

Let's pledge to build upon the progress made today so that we can bring prosperity to all Americans in the future. Our working families are counting on it.

Mr. ALLEN. Mr. Speaker, I rise in support of the omnibus appropriations bill, as it provides funs for eight Federal departments and key education priorities such as class size reduction and Head Start, as well as the summer jobs program, LIHEAP, IMF, home health care, and hurricane and farm relief.

However, I have great concerns about the national security aspects of the bill, and the way it was put together. Specifically, I take issue with the bill's inclusion of $1 billion in ''emergency'' spending for ballistic missile defense. This money could have gone to pay back our debts to the United Nations. The $1 billion could have been used to finance bonds for construction and repair needs for 1,500 schools, or to pay the fiscal year 2000 costs of improving retirement benefits to encourage retention of military personnel.

Congress had the entire year to review the nation's defense needs. It approved the fiscal year 1999 Defense authorization and appropriations bills after agreeing to the President's overall funding level and, generally, to the Pentagon's priorities. In the omnibus bill, Congress also agreed to the valid requests to fund our Bosnia mission and the Federal Government's year 2000 computer problem.

The extra $1 billion for ballistic missile defense, however, was a last-minute stealth insertion into the omnibus appropriations bill, and not reviewed by the authorizing or appropriations committees. For a Congress that has balanced the budget for the first time In three decades, and for a Republican leadership that rails against wasteful spending, this is wrong.

There is little disagreement that theater missile defenses are prudent, realistic, and help protect our troops deployed overseas. But throwing money at these programs won't make them work better or deploy faster. Deputy Secretary of Defense John Hamre testified on October 2 that ''This is as close as the Department of Defense can get to the Manhattan Project. We are moving as fast as possible.'' The Pentagon is doing its best to make it work. But you just can't legislate physics.

Regrettably, it appears that this $1 billion was promoted by those who see national missile defense as the answer to all our security threats, regardless of cost, treaty implications or whether it actually works. National missile defense is an exceedingly complex endeavor. The system relies on ''hit-to-kill'' technology—hitting a bullet with a bullet—whose success rate is only 22 percent in 18 tests. The technology is unproven. Faith and money in themselves cannot guarantee success.

Earlier this year, a panel of missile defense experts issued a report (the ''Welch report'') that reviewed the national missile defense (NMD) program. It concluded that the effort to rush deployment had caused test failures, program slippage and increased risk—in short, they called it a ''rush to failure.'' GAO confirmed that this acceleration had greatly increased risk in the NMD program.

Our Nation's senior military leaders agree with these assessments. The Chairman of the Joint Chiefs of Staff, Gen. Hugh Shelton, said before the Senate Armed Services Committee on September 29 that ''putting more money into it [NMD] won't produce a product any sooner,'' and that ''money will not help solve the engineering and integration challenges that are being faced by the Ballistic Missile Defense Organization right now.''

The GOP has joined the Service Chiefs in complaining about readiness shortfalls. But when it came time to fund readiness in the supplemental bill, the GOP leadership siphoned off $1 billion for missile defense. They also rejected an Administration request to change military pensions sought to keep quality people in the service. The $1 billion for missile defense could have paid for most of the fiscal year 2000 cost for these changes. At the end of the day, it appears that GOP leadership cared more about Ronald Reagan's ''star wars'' legacy than about the men and women who put their lives on the line for our country.

On balance, the omnibus appropriations bill is worthy of support. But not every provision is wise. As we consider the wide-ranging programs in this bill, Members should know that this $1 billion add-on for missile defense was not requested by the administration and not reviewed by any congressional defense committee. Missile defense is too important and too technologically challenging to be driven by partisan politics.

Mr. BERRY. Mr. Speaker, it is with great satisfaction that I rise today because a resolution that I feel very important has been included in the omnibus spending legislation that passed the House tonight. This resolution expresses the sense of the Congress that the international community must work together to resolve cases where kidnaped children are taken abroad.

Too many children like Machael Al Omary, who was illegally kidnaped by her non-custodial father from my district of Jonesboro, or Hatam Al-Shabrami, who was abducted by his non-custodial father and last seen in Saudi Arabia, have been illegally kidnaped. With their children in other countries, their mothers have no right to legal recourse.

Unfortunately, there are thousands of children like Machael and Hatam who have been illegally taken to another country. If the country is not a signatory to the Hague Agreement, the parents are left totally helpless. In many cases, when the country is a signatory, justice

is often difficult to obtain, and comes at a high price.

Our legal system makes decisions involving the custody of children based on what is in the best interest of the child. Once such arrangements are made no one should ever be rewarded for the illegal abduction of a child from our country by being able to keep the child and thumb their nose at authority.

This resolution sends a strong message of this country's support for the rights of our children and I am glad it was included in the legislation.

Mr. DICKS. Mr. Speaker, I rise today in strong support of the omnibus appropriations bill now under consideration. In my judgment, this legislation will address the important national priorities of military readiness, environmental protection, transportation, education, and foreign policy—priorities that I believe put our nation on the right path heading into the 20th century. However, I also have a number of concerns that are not addressed by these appropriations that I believe must be considered during the fiscal year 2000 budget and appropriations cycle.

I strongly support the supplemental funding in the omnibus package that will be directed to military readiness and overseas operations. For quite some time I have been concerned about our troop readiness levels as well as the chronic shortages in spare parts, equipment overhauls, facility repairs, recruiting, and routine base operations. In fact, I have had several conversations recently with the base commanders at Ft. Lewis Army base near my district, and am told that readiness and training dollars are so scarce that soliders are mowing lawns and performing other civilian duties instead of training for combat.

This is absolutely unacceptable. We have already cut defense by roughly one-third since the peak of the Reagan budget, yet our operational tempo—including the rate at which our soldiers, sailors and airmen are being deployed overseas—has not followed that downward trend. In fact, current OPTEMPO rates are at near-record highs for the 20th century. The additional funding included by the Congress in this legislation will help mitigate these problems in the near term. However, additional funding will be required in fiscal year 2000 and beyond in order to ensure a long-term solution to the serious readiness problems plaguing all branches of our Armed Forces.

I am equally worried about the inadequacy of funding included for the modernization of our future fighting equipment. The Joint Chiefs have stated consistently over the past couple of years that the procumbent portion of the defense budget needs to be increased to roughly $60 billion annually in order to provide our troops with the weapons and equipment needed to address the military challenges of the next century. The procurement budget currently stands at just over $48 billion. The supplemental package does not include much funding for procurement—the exception being an additional $1 billion for missile defense. This is far short of what is needed to ensure that our fighting forces remain the best equipped in the world. I will continue to work with the administration and with my colleagues to ensure that additional monies are allocated for this priority.

I also applaud the willingness of Congress to step forward and provide the necessary funding for the NATO-led stabilization force in Bosnia and for increasing funding for anti-terrorism activities including embassy security and reconstruction in response to the tragic events at United States embassies in Tanzania and Kenya last August. Finally, as the ranking member on the House Permanent Select Committee on Intelligence, I also am strongly supportive of the additional funding included in this package for U.S. intelligence activities.

This omnibus appropriations bill also contains important funding for environmental priorities that are critical to my state and district. To address the critical need of Washington State in confronting with the proposed listing of salmon and steelhead species under the federal Endangered Species Act, the appropriations for the Interior Department contains $20 million in aid. This federal appropriation adds to monies already appropriated by the state legislature to go directly to the Salmon Recovery Office of the Governor. By providing direct grants to tribes, local governments, and community groups, Washington can begin the important work of restoration and recovery activities to revive dwindling fish runs.

The transportation provisions included in this omnibus appropriations bill will fund many important projects in Washington State, all of which have widespread support among our state congressional delegation. I am very pleased with the $54 million in funding for the Puget Sound region's ambitious mass transit program, called Sound Transit. Most of this total is for commuter rail, which will begin service between Tacoma and Seattle at the end of next year. Traffic jams have become far too commonplace in the Puget Sound region, and this investment will provide substantial relief from this problem. I also am very pleased with the continued funding for three important transportation projects in the district I represent: the Tacoma Dome Station, Bremerton's Transportation Center and the International Gateway Center in Port Angeles. These projects are critical to economic development in these areas which all suffer from a myriad of problems, including high unemployment and poverty.

I do not think that anyone can discuss this bill without mentioning the important provisions regarding the education of our children. This legislation contains $1.2 billion for an important new program proposed by the President and congressional Democrats to help school districts hire and train 100,000 new teachers over the next seven years. Washington will receive almost $20 million. We all have read the studies that show that kids learn better in small classes. I am very pleased that Congress is finally taking steps to help local school districts—especially the poorest in our country—to begin to make this happen.

Many of my colleagues know how important the Impact Aid Program is to me and to the many men and women in my district that serve in our country's armed forces. This program, which provides federal dollars directly to school districts that serve the children of our uniformed service personnel, is needed to bring these districts up to the same funding level per student as non-impacted schools. I am happy that the agreement provides an additional $56 million for this program. Although the $864 million does not reach the authorized level of funding, it does provide the minimum need for each participating school district—the first time this has been done in many years.

There is one noticeable omission from this bill; there are no funds included for school construction. I frequently visit the school districts in my congressional district when we are not in session. Some of them are very nice. Many, however, are in shameful states of disrepair, without adequate lights, heat, plumbing, and wiring. At the same time, enrollments are rapidly increasing. I believe that this bill should have included funds to help school districts to address these problems, and I am disappointed that the majority party refused to accept sensible provisions in this regard during this negotiations. Next year, I hope to work with my colleagues to ensure that Congress does not ignore this critical need.

My district and the entire State of Washington are heavily dependent on trade. In fact, one in every four jobs in my state are dependent on trade—especially with Pacific Rim countries like Japan, China, South Korea, and Taiwan. The financial crisis that these Asian nations are undergoing has already had a serious effect on the economy of my state through reduced exports, and this trend threatens to continue unless we work with these countries and relevant international organizations to lessen its effect.

Because of these concerns, I support the inclusion of credit in this bill to replenish the International Monetary Fund so that it may continue its work to help these Asian nations resolve their economic problems and to continue to buy American goods. I am also glad that strong language was adopted requiring the IMF to make necessary reforms with regard to fairness, transparency, and to the conditions that the IMF places on nations that seek to borrow funds.

Finally, Mr. Speaker, I am pleased that the bill includes a small but important clarification in law that was related to a provision adopted in the Defense authorization bill earlier this year. Though it was not the intention of Congress to complicate the export of commercial aircraft and spare parts, the language of a broad prohibition on the export of missile-related technology to China contained sufficient ambiguity that it could have jeopardized the sale of Boeing aircraft to one of America's largest export markets. With the passage of this omnibus appropriations act an important clarification will eliminate this ambiguity and assure that one of the top United States exporters, employing more than 200,000 United States workers, will be able to compete on equal footing in the Chinese market with other worldwide aircraft manufacturers.

Mr. Speaker, let me conclude by stating that I recognize that this bill does not have the answers to all of the problems that currently face our country. But it is, in my judgment, a good-faith effort to solve many of them, and because of this, I urge my colleagues to support it.

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise today with mixed emotions about this bill—not just because it is the last bill moving through the House that I will see during my 17-year career here. Rather, it is because I think the process yielded good results in many areas, patched over problems that have to be addressed again next year, and made some poor decisions in other areas.

The biggest achievement of this negotiated settlement is, of course, the fact that the government will be funded for next year, with one

large exception that is keyed to a looming Supreme Court decision. Perhaps the next biggest achievement is the start of the President's program to put 100,000 new teachers in the classroom. I was an original cosponsor of this legislation, and argued for it throughout the year.

This legislation constitutes a common sense approach to improving our public schools and the performance of our children in the early years. This is a program we must continue to fund until we get the student/teacher ratio well below 20 to 1, and then we must expand the program to keep these gains going throughout elementary and middle schools. The federal government must also enact legislation to help our states and local governments build new classrooms. I find it hard to believe that a political party counts as a ''win'' its ability to make sure that no help goes to relieving overcrowding in public schools. That is a mark of shame, not a badge of honor. The education of our children is our future, not simply another spending item.

I am also very pleased with the tax provisions that have been incorporated into this bill. The most important of these changes, besides the tax extenders, is the one year relief for middle income American families from being thrown into the alternative minimum tax simply because they use the dependent care credit, the adoption credit, or the child tax credit. I argued strongly through the development of the 1997 tax bill that these credits should be excluded from the alternative minimum tax, but the offsetting revenue to do this was needed by the other side to achieve their objectives in that bill. I subsequently introduced legislation to remove these items from the AMT, and I am pleased that this bill removes these credits for 1998. In a small bill like this, a one year exclusion is the best that can be done. While I would have preferred to fix this permanently before I left Congress, it is more important that the principle has been established that these credits should be excluded, and I am confident that the committee will find a means of accomplishing this during the 106th Congress.

The other tax items I am very pleased with is the increase in the private activity bond cap which has not been adjusted since 1986. State and local governments issue tax-free bonds primarily to fund important economic development projects and to make it easier for people to buy homes. In Connecticut, for example, increasing the volume cap will mean an additional $82 million for first-time home buyers or economic development projects. The legislation I introduced to increase the cap had widespread bipartisan support; in fact only one other bill in the 105th Congress had more cosponsors. I cannot think of a better way to end my congressional career than by enacting this type of legislation, and I very much appreciate the help I received from the chairman of the Ways and Means Committee, Mr. ARCHER, and the ranking minority member, Mr. RANGEL. I have very much enjoyed working with both of them throughout the years, as well as the other members of the committee and the staff, who represent the best Washington has to offer.

Mr. Speaker, I support this bill and hope it will be approved by an overwhelming margin.

Mr. LEVIN. Mr. Speaker, this budget agreement can be summed up in four words: Bad process, good result.

There is an old saying about how people with weak stomachs should never watch sausage or laws being made. The process we are following today gives sausage makers a bad name.

The process by which we arrive at today's budget agreement is indefensible. This year—for the first time in the 24-year history of the Budget Act—the House and Senate failed to agree on a budget resolution. More than half of the thirteen regular appropriation bills were never completed.

The majority dragged its feet all year on scores of other important matters. Whether it's providing emergency funding to deal with the year 2000 computer problem and natural disasters, or recapitalizing the IMF, or extending critical tax provisions like the research and development tax credit, the country's business shouldn't have to wait until the 11th hour.

The breakdown in the budget process rests squarely on the shoulders of the majority and its leadership. The result is that we are considering a $500 billion, 4,000-page, catch-all bill, with no amendments allowed. This is no way to legislate.

No thanks to the process, on balance, the budget agreement before us contains many of the priorities I have been fighting for this year. The agreement contains funding to begin hiring 100,000 new teachers to reduce class size in schools across America. It expands Head Start and provides for after school and child literacy programs.

The agreement is true to our commitment to save Social Security first. it rejects Republican efforts to raid $80 billion of the Social Security surplus. The agreement provides critically needed funding for the IMF so it can respond to the financial turmoil abroad that, left unchecked, threatens to undermine our own economy.

The agreement provides funding to help solve the serious Year 2000 computer problem. It increases funding for the National Institutes of Health to combat diabetes, cancer and other diseases. It funds the COPS Program to put more police on our streets. It makes necessary improvements to Medicare's home health care rules. Finally, this agreement strips out dozens of special interest, anti-environmental riders that had been inserted into the appropriation bills.

Unfortunately, other important goals were not achieved. The majority succeeded in blocking comprehensive campaign finance reform, blocked action on a meaningful Patients' Bill of Rights, and prevented the President's school construction initiative.

While the process was seriously flawed, and the bill before us does not address all concerns, I will vote for the budget agreement. I urge my colleagues to support it as well.

Mr. HINCHEY. Mr. Speaker, earlier this year, I joined with my colleague from Oklahoma, Mr. WATKINS, to introduce the Rural Enterprise Communities Act. Tucked away in this monster of an omnibus is a small provision that contains the heart of our bill—the authority for the Secretary of Agriculture to designate 20 new enterprise communities in rural areas.

Mr. WATKINS and I believed that this legislation was absolutely necessary to address the problems facing rural America. It is easy to forget that nearly 800 non-metropolitan counties have high poverty rates. Much of the nation's substandard housing is located outside of urban areas, and the distances between places and the lack of public transportation magnify the economic problems in rural communities.

The rural empowerment zone and enterprise community program is an example of an economic development program that works. Since 1993, these communities have created or saved nearly 10,000 jobs, and provided job training to more than 14,000 people. They have used their federal funds in partnership with private resources to build or upgrade health care facilities, schools, computer learning centers, and housing.

A key factor in enterprise communities' success is their ability to work closely with local governments, regional planning authorities, and the private sector to leverage the maximum benefit from their funding. The money we appropriated for this program accounted for a little less than 10 percent of the economic development dollars spent in the rural ECs. The vast majority of the money for the projects I described came from other competitive federal grants, state and local funds, and the private sector.

When the EZ/EC program was reauthorized last year, it provided for only five new rural enterprise communities. More than 200 applicants are competing for these designations, proving that our communities are starved for effective economic development programs. This is why we believed it was so important that these 20 additional designations be included in the omnibus appropriations bill.

When Mr. WATKINS and I introduced our bill, we wanted to make sure that the Department of Agriculture had the flexibility to consider factors other than poverty that contribute to rural distress. These included criteria such as outmigration, underemployment, and sudden and severe economic distress of the type that might be caused by the closure of a military base or a factory. We hoped that the Secretary of Agriculture will take these sorts of things into account when he is considering which communities qualify for the rural enterprise community designation.

As I conclude my remarks, I wish to thank all of my cosponsors from both sides of the aisle for insisting that the Rural Enterprise Communities Act be included in the omnibus appropriations legislation. It was your support—and the very vocal efforts of our communities back home—that convinced the administration that this program was worth fighting for.

Mr. BARR of Georgia. Mr. Speaker, I rise today to speak about a very important provision in the omnibus appropriations conference report, H.R. 4328. This issue is extremely important to my constituents and to many other Americans concerned with their second amendment rights. This issue deals with the implementation of the so-called Brady Act relating to gun purchases. The implementation of the Brady Act is primarily the responsibility of the Federal Bureau of Investigation (FBI), which is funded by this bill through the Department of Justice. This appropriation bill contains a number of relevant provisions which will continue the original congressional intent with respect to the implementation of this law.

First, I would like to examine some of the history of the Brady Act. The expressed purpose of the Brady Act is to provide for background checks on gun buyers, and it does that in two ways. First, there is an interim ''waiting period'' provision under which persons buying handguns must wait five days before taking delivery. During that time, a report of the sale is to be sent to local law enforcement officials, who are supposed to conduct a background

check of the buyer to determine that the buyer is not disqualified from owning firearms. However, the provision mandating that local officials perform the background check has been found unconstitutional by the Supreme Court. That is why the Congress also mandated that as of November 30, 1998—a full 5 years after the passage of the Brady Act—the waiting period would sunset and be replaced by a computerized national instant background check system operated by the FBI. The 103d Congress believed, as the majority of us in the 105th Congress believe, that the instant check would be an effective system that would be less intrusive on the rights of gun owners.

Although I was not a Member of this body at the time, the operation of the instant check system was believed to be a national responsibility that would be paid for nationally, rather than by a retroactive ''gun tax'' levied on individual buyers. In fact, the Brady Act itself authorized $200 million to be made available to the States for the upgrading of their criminal history record systems. Over the past 5 years, nearly that sum has been made available to the states through the Department of Justice grants from appropriated funds, and the FBI has additionally spent funds to create the necessary infrastructure for the instant check system.

However, Mr. Speaker, there has been a series of proposed rulemakings by the FBI in which it proposed a ''user fee,'' or more accurately termed, a ''gun tax,'' in the neighborhood of $14 (or more) on each firearms transaction checked by the instant check system, supposedly to cover the costs of the system. Due to the outcry from my constituents, and the constituents of many other Members, I introduced a bill, H.R. 3949, which would prevent the FBI from charging such a fee. Likewise in the other body, Senator BOB SMITH of New Hampshire introduced a similar amendment on the Commerce-Justice-State appropriations bill which would prevent the FBI from charging such a fee. The Smith amendment passed the Senate by a vote of 69 to 31, attesting to the support such an undertaking has.

As a result of the efforts by Members of the House, Senator SMITH, Senator CRAIG, and other colleagues in the other body, this omnibus appropriations bill includes a provision banning the FBI from charging a gun tax. In addition, the bill includes more than $40 million in funding for the operation of the instant check system to carry out its mission.

I now turn to another extremely important, related issue. In 1993, during the debate on the Brady Act, the Congress expressed concern with preserving the privacy of gun buyers, and not allowing the instant check system to turn into a national computerized gun registration system. The establishment of a gun registration system would obviously be of great concern to gun owners. Gun registration systems have been used in many foreign countries, and in United States jurisdictions including California and New York City, to confiscate firearms from citizens.

To address those concerns, the Brady Act contained explicit language, codified as 18 U.S. Code, Sec. 922(t)(2), which provided that once a firearms transaction is approved, the system shall ''destroy all records of the system with respect to the call (other than the identifying [transaction] number and the date the number was assigned) and all records of the system relating to the person or the transfer.'' This was intended to prevent the FBI or any other agency from using the system to keep a listing of everyone approved by the system to buy a firearm.

Another relevant provision is Sec. 103(I) of the Brady Act itself as a non-codified law, which establishes a ''Prohibition Relating to Establishment of Registration Systems With Respect to Firearms'' and provides that ''No department, agency, officer, or employee of the United States'' may use the instant check system ''to establish any system for the registration of firearms, firearm owners, or firearms transactions or dispositions'' except regarding persons prohibited from receiving firearms.

The gun registration issue has been a great concern to this body in the past. For instance, for a number of years, the appropriations bills for the Department of the Treasury have contained a prohibition on expending appropriated funds for centralizing records of acquisitions and dispositions of firearms by licensed dealers. Language codifying that position of a prohibition is concluded in H.R. 4328 as well.

The Congress also acted on this issue in the Firearms Owners' Protection At of 1986, when it forbade agencies from issuing rules or regulations requiring the centralization of records of firearms licensees, or requiring the creation of systems of ''registration of firearms, firearms owners, or firearms transactions or dispositions.''

The FBI has proposed regulations on instant check implementation included in its recently released proposal to keep records of firearms purchasers' personal identifying information for a period of 18 months, in its so-called ''Audit Log.'' It is my opinion, and the opinion of many of my colleagues here today, that a regulatory proposal to maintain records of approved firearms purchasers' personally identifying information would violate the letter and spirit of these provisions we have discussed, both in the Brady Act and the Firearms Owners' Protection Act.

For the purpose of enforcing those provisions, both H.R. 3949, and Senator BOB SMITH's amendment prohibited the FBI from maintaining records of approved purchases. Mr. Speaker, I am very pleased to report that H.R. 4328 includes a very important provision forbidding the use of appropriated funds to create any instant check system that does not ''require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.'' This language is carefully crafted to ensure the FBI complies with all the provisions of the Brady Act and the Firearms Owners' Protection Act which prevent this system from turning into a gun registration scheme to restrict the second amendment rights of law-abiding Americans.

Mr. Speaker, I want to thank Chairmen LIVINGSTON, ROGERS, and STEVENS for including this very important language in this appropriation bill. I look forward to revisiting this issue at a later time through the oversight process to ensure that the FBI obeys this law.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, notwithstanding the important and needed transportation funding included in the measure, I stand in firm opposition to certain provisions included in the omnibus appropriations bill, H.R. 4328. In particular, I am opposed to the provision that would effectively allow states to veto projects specifically provided for by TEA–21 and included in this appropriations bill. When I and my fellow colleagues on the Transportation and Infrastructure Committee drafted TEA–21, it was our intent that all monies devoted to ''high-priority'' projects would have to be spent on those projects or states would lose the allocations. There were many discussions and much testimony about this issue. In hearing after hearing, state governments consistently argued that they should be allowed to reallocate obligation limits for TEA–21 high-priority projects to other projects that they deem more important. The full Transportation Committee felt differently, and that is precisely why we drafted TEA–21 to mandate specific spending on specific high-priority projects.

For instance, southern Dallas, which comprises a large part of my district, is badly in need of road and infrastructure improvements. However, this area has been largely ignored by the Texas Department of Transportation in favor of other projects in more affluent areas of the state. The opinions of city and county elected officials as to the needs of their constituents have consistently been overridden by the Republican appointed and partisan Commissioners of the Texas Transportation Commission. In TEA–21, I was able to secure funding for this area long awaiting revitalization efforts with the understanding that, for once, the money would have to go there.

I am not alone in this struggle. Many of my colleagues have been in similar situations during which their districts were consistently passed over by their state governments when allocating road and infrastructure improvement dollars. TEA–21 was designed to change this diversion of resources and to finally bring improvements to under-served areas. TEA–21 represented a bipartisan attempt to improve the nation's transportation infrastructure, in large part by identifying projects that need to be completed and allocating money to be spent only on those projects.

While it is my understanding that the provision will be removed from the bill in the 106th Congress, I am troubled that the provision exists in the bill at all. It is an irresponsible contradiction of the intent and spirit of TEA–21 and the compromises reached by the members of the Transportation Committee. Southern Dallas, and other areas across the country like it, need and deserve the consideration that TEA–21 provides, not more of the same old treatment. I urge the Republican leadership to remove this provision so that these areas can finally receive that consideration.

Mr. ROGERS. Mr. Speaker, for the Departments of Commerce, Justice, and State, the judiciary, and related agencies, the conference agreement provides a total of $33.7 billion, which includes: $27.6 billion in discretionary funding, $5.5 billion in crime trust funds, and $600 million in mandatory funding.

As in the House-passed bill, aside from the ramp up for the 2000 census, the major increases are for the Department of Justice, to press forward on our number one domestic priority—fighting crime and drugs, strengthening our borders, and protecting against terrorism.

The conference agreement provides $18.2 billion for Justice, an increase of $450 million over fiscal year 1998.

The conference agreement retains the House priority on State and local law enforcement, by providing $4.85 billion including: full restoration of local law enforcement block grant at $523 million; full restoration of the juvenile accountability block grant at $250 million; a significant increase for juvenile crime prevention to $285 million, $47 million over fiscal year 1998; an $1.4 billion for the COPS Program, including $180 million for special initiatives.

Other items in the Justice Department include: An increase of $111 million over fiscal year 1998 for the war on drugs; $283 million for the Violence Against Women Act programs; $2.46 billion for the Immigration and Naturalization Service, under two new accounts, including a $40 million interior enforcement initiative, similar to what was included in the House bill; and $145 million in new funding for counterterrorism measures, including $125 million for equipment grants and training for state and local first responders.

For the Department of Commerce, the bill includes $5 billion, including $1,031 billion for the decennial census, $75 million over the House-passed level, to assure preparations for an actual enumeration.

For the Department of State, and related agencies, the conference agreement includes $5.5 billion, including $475 million for U.N. arrearages, subject to authorization.

For related agencies, the conference agreement includes $300 million for the Legal Services Corporation, and $76 million for SBA disaster loans, with additional funds for disasters provided elsewhere in the bill.

While the conference agreement includes full year appropriations for all agencies, it also includes a provision cutting off funding on June 15. This, in my view, is a very problematic provision. It was inserted as part of the current resolution of the census debate, and holds all agencies, not just the decennial census, hostage to future debate on the conduct of the 2000 census.

This, in my view, is a serious mistake. All of the programs in this bill, such as the Supreme Court, the rest of the Federal courts, the Department of Justice, the FBI, the INS, the DEA, the State Department embassies abroad, and loans to small businesses, could be shut down over a political dispute between the Congress and the administration over how to conduct the census. I cannot believe the administration insisted on this provision, and I cannot believe that the administration wants to hold open the possibility of shutting down these vital functions of government as leverage for its position on the census, that has been rejected by two district courts.

I believe this provision is not defensible, and the blame lays squarely on the shoulders of the White House.

The conference agreement also includes a provision that makes all Government attorneys subject to the ethics rules of State attorneys, effective 180 days after enactment of this bill.

The 180 day delay of the effective date is intended to allow the Department of Justice sufficient time to express any concerns it may have to the Congress about the application of the legislation. The Department of Justice has expressed a desire for the Congress to ask the Department to submit legislative language authorizing the Department to develop and enforce a code of ethics to cover the conduct of its own attorneys. Of course, the Department is free to submit such legislation to the House and Senate Judiciary Committees for their consideration.

In other parts of this omnibus bill, the conference agreement includes a number of provisions that relate to the programs covered by the Commerce, Justice, State, and judiciary appropriations bill. These include: $1.4 billion in emergency funding for the State Department and the FBI to respond to the recent terrorist embassy bombings in Africa, including major upgrades of security at U.S. missions around the world.

$101 million in emergency funding for SBA disaster loans and administrative expenses in response to increased requirements due to Hurricane Georges and other natural disasters.

$20.2 million for additional emergency funding for anti-drug programs of the DEA and INS; $30 million and authorization language for a pollock fishing buy out program; $5 million in emergency funding for the New England multi-species ground fishery; $2 million and authorization language for a Trade Deficit Review Commission; portions of the State Department reauthorization legislation, dealing with the merger of the Arms Control and Disarmament Agency and the United States Information Agency with the State Department, and providing authorizations and other changes in legislative authority with respect to these three agencies; the Chemical Weapons Convention Implementation Act, as passed by the Senate; the Internet Tax Freedom Act, the Child Online Protection Act; the American Competitiveness and Workforce Improvement Act, relating to temporary foreign professional workers; reauthorization of the Police Corps; and several authorizations relating to anti-drug programs.

Mr. MORAN of Kansas. Mr. Speaker, tonight Congress considers a spending bill that is troubling. It is the largest appropriation bill that I have ever voted on and I hope it will be the last time I am asked to vote on this amount of spending. At over $500 billion, it is nearly one-third the entire federal budget. This amount of money is beyond our grasp and the details of this legislation beyond our comprehension under today's time frame.

There are many provisions in this bill that I support, particularly those for agriculture, home health care and education. This bill includes tax reductions for farmers, ranchers, and small business owners. In addition, this bill is critical to the operation of many government functions such as Social Security and our national defense. However, I am certain that there are numerous provisions in this bill which I do not support. Even worse, there are also items in this bill that I cannot be aware of until after I am expected to make a decision and cast my vote. For these and other reasons, I am very critical of the process which brings this appropriations measure to the floor tonight.

I know I am not alone when I say I would appreciate the opportunity to vote on each of the individual provisions contained in this bill. Each provision should be debated on its own merit. Free and open debate is a principle upon which this country was founded and one that we as Members of Congress must work to protect.

That is not to say that I am naive enough to believe that every policy which I support will pass and those I oppose fail. In a democracy we are often forced to make difficult decisions.

While compromise is part of a democracy, we must not compromise the legislative process. We must work to maintain integrity in the process and restore the faith in the way we govern. We can, and must, do a better job in fulfilling our responsibilities as elected officials.

Mr. SERRANO. Mr. Speaker, I rise in decidedly unenthusiastic support for the conference report on H.R. 4328. This is nominally the Transportation appropriations bill for fiscal year 1999, but in reality it is a monstrous omnibus bill that encompasses eight unfinished appropriations bills, arguably more emergency spending than can be justified under the Budget Act, and numerous extraneous items, also the result of Committees failing to finish their work on time. This—thing—is more than 4,000 pages long, nearly two feet tall, and nearly 40 pounds.

Much of the conference agreement is the routine business of Congress that should have been done through the normal process and in a timely manner. Some of it represents bullets dodged—bad provisions from earlier versions of appropriations bills that have been removed or improved in the final negotiations. Some of it is Democratic victories on important programs, such as funding for the President's 100,000 teachers initiative, but the package also represents lost opportunities, including the President's school renovation and construction initiative. I will reluctantly vote for it, but I reserve the unfinished business of America for next year.

From the 100,000 teachers initiative, I am happy that New York will receive nearly $105 million over 6 years, and that the Bronx, of which I represent the southern part, will receive $14.6 million. This is a wise investment in the future of our children, but the lack of any funding for school renovations and construction leaves us wondering where these new teachers will meet their students! Next year, Mr. Speaker, we must address the school facilities issue.

I also intend in the next Congress to propose a program to hire 100,000 new paraprofessionals. Adding teacher aides to classrooms also permits more individualized attention and more discipline, but at lower cost than adding teachers, and beginning as a paraprofessional is a first step on a professional track for less-educated but equally dedicated adults. The two initiatives together will go a long way to prepare our children for self-sufficient, productive adulthood, and for healthier, happier lives.

Mr. Speaker, I would be remiss if I failed to mention three emergency items in the jurisdiction of the Legislative Branch Appropriations Subcommittee, of which I am the ranking Democrat:

The conference agreement includes $100 million for a Capitol Visitor Center, which will not only enhance the security of the Capitol Complex in the wake of the tragic shootings of Capitol Police Officers Chestnut and Gibson and the terrorist threats arising from events abroad, but also improve the experience of visitors to the Capitol by presenting exhibits to help them understand Congress and the Capitol and even by improving their access to restrooms and food service.

The conference agreement includes nearly $107 million for various other physical security enhancements to the Capitol Complex, including Library of Congress buildings and grounds. We do not want to wall the People's Branch

off from the public, but there are measures we can take to keep the campus open while enhancing the security of all who work or visit here.

Finally, the conference agreement provides a total of $16.9 million to the House, the Senate, and, through the General Accounting Office, to the rest of the legislative branch, for Year 2000 conversion of information technology systems.

Mr. Speaker, I repeat that, while I will vote for this omnibus bill, it is without enthusiasm. I cannot urge my colleagues to vote one way or the other. But I will say that a great deal of the people's business remains undone. This Congress, under Republican leadership, has failed—has refused—to address abuses in our health care system, to reduce teen smoking, to reform the campaign finance system, and much more. We will be back next year to press ahead on the issues that the American people care about most.

Mr. YOUNG of Alaska. Mr. Speaker, section 06(a) requires the Secretary to allocate ten percent of the total allowable catch (TAC) of pollock in the Bering Sea and Aleutian Islands area as a target species to the western Alaska community development quota (CDQ) program, beginning on January 1, 1999. And, prior to allocating the remaining ninety percent of the TAC of pollock to catcher vessels and catcher/processors pursuant to paragraphs (1)–(3) of section 06(b), section 06(b) requires the Secretary to allocate to the CDQ program the amount of additional pollock that will be incidentally taken by vessels that harvest the directed fishing allowance of non-pollock groundfish species that has been allocated to the CDQ program.

During the 1998 fishing year, the Secretary has regulated the CDQ programs for Bering Sea and Aleutian Islands pollock and for Bering Sea and Aleutian Islands non-pollock groundfish species as two separate regulatory programs. To ensure that vessels that participate in the CDQ pollock fishery are afforded an opportunity to harvest the entire ten percent of the TAC of pollock that subsection (a) allocates to the CDQ program, section 06(a) and (b) collectively direct the Secretary to continue, for the purpose of catch accounting only, to regulate the CDQ fisheries for Bering Sea and Aleutian Islands pollock and for Bering Sea and Aleutian Islands non-pollock groundfish species as separate regulatory programs.

Separate accounting for the by-catch of non-pollock groundfish species in the directed CDQ pollock fishery and for the catch of non-pollock groundfish species in the directed CDQ non-pollock groundfish fishery will prevent the by-catch of non-pollock groundfish species in the directed CDQ pollock fishery from being deducted from the 7.5 percent of the TAC of non-pollock groundfish species that the Secretary has allocated to the CDQ program. This will allow vessels participating in the directed CDQ pollock fishery to collectively harvest as by-catch a small amount of non-pollock groundfish species in addition to the 7.5 percent of the TAC for such species that the Secretary has allocated to the CDQ program. However, the total harvest of non-pollock groundfish species—both as by-catch and in the directed fisheries for such species—shall not exceed the allowable biological catch for each species. And it continues to be the intent of Congress that the Secretary regulate the CDQ programs for Bering Sea and Aleutian Islands pollock and for Bering Sea and Aleutian Islands non-pollock groundfish species in a manner that continues to ensure that no species is subjected to overfishing.

Because they take effect on January 1, 1999, the Secretary must implement subsections (a) and (b) of section 06 by promulgating emergency regulations. However, as soon thereafter as practicable, the Secretary shall implement section 06(a) and (b) by promulgating regulations that have been recommended by the North Pacific Council to implement those subsections and other appropriate conservation and management measures.

Mr. KIND. Mr. Speaker, I rise today in opposition to the 1999 omnibus appropriations bill.

I do not cast this vote lightly. There are some good priorities in this bill—things that I have fought for these past 2 years including funding for improving education and job training, expanding rural health care, protecting the environment, and putting police on the streets. It also funds the International Monetary Fund which I believe is necessary to maintain global economic stability. Indeed, I support the programs which provide relief to America's farmers, summer jobs for teenagers, and higher health insurance deductions for the self-employed.

Furthermore, I am fully aware that it is not unusual for several appropriations bills to be rolled together and passed in this fashion. But this year's bill goes way beyond what may be the usual ''rush to the finish'' and sets a very bad precedent for future fiscal responsibility.

First, this is the first year since 1974 that Congress has not passed a budget resolution—the blueprint for annual spending. We had no official guidelines for spending this year and, consequently, we now do not know precisely how the spending caps were determined. There is no excuse for this irresponsible method of spending America's hard-earned tax dollars.

Second, many parts of this bill were never considered by any committee or by either chamber of Congress. In fact, some provisions actually reverse language that has already been passed. The largest appropriations bill in this omnibus package is the Labor/HHS and Education bill. It is worth $83.3 billion and it was never considered on the floor of the House of Representatives. Members, such as myself, who are not members of the Appropriations Committee, never had the opportunity to vote on any individual provisions of that bill, we must simply vote yea or nay on the entire bill.

Third, this bill contains $20 billion in so-called ''emergency'' spending. This money is very deceptive. It is money being spent completely outside of the budget caps established in last year's Balanced Budget Act. This spending is not paid for—and most of it is not crucial emergency spending. It includes spending for military readiness, ballistic missile defense, a U.S. Capitol Visitor Center, Y2K computer fixes, and efforts to prevent drug production and trafficking. These funds may be worthy, but they should be debated, determined to be priorities, and incorporated into the general spending bills.

Fourth, no one really knows what pork projects are contained in this bill. They are hidden deep within the 4,000 page document and there is no comprehensive list for all to see.

Finally, members were given just three hours to review this monstrosity of a spending bill. This bill is insulting to those of us who are deeply concerned about the future of this country and the astounding $5.5 trillion national debt that we are passing on to our children. By passing this bill, we are avoiding the tough decisions we need to make if we are to ever see a budget surplus and shore up Social Security—and if we are ever to lower the national debt.

Mr. Speaker, let me conclude by saying Christmas has come early this year. There's something for everyone's stocking in this bill—but, unfortunately, our children will pay the price.

Mr. BLUMENAUER. Mr. Speaker, investigations and impeachment proceedings have dominated news of the 105th Congress. The disappointing reality is that, by scheduling less legislative business than any Congress in a generation, the Republican leadership has provided little else for the press to cover. People on both sides of the aisle will admit as much with little or no prompting.

This year we have not even passed a budget resolution, the first time in 24 years that Congress has failed to provide this framework. When division and confusion arose in the Republican caucus, they chose to abdicate their responsibility rather than work with the Democrats to put together a budget compromise.

Over what issues did the Republicans allow the budget process to be held hostage? Conservative extremists brought fiscal planning to a halt for days to fight over such policies as whether federal health insurance recipients should be guaranteed contraception coverage. Somewhat ironic for people who claim to be against abortion.

Because of all the delays and infighting, I am now being asked to vote on one spending bill that encompasses a third of the entire federal budget. While we are still in the process of learning what is in the bill, what is known is alarming. This bill provide $7 billion in excess of last year's budget agreement and adds an additional $21 billion in so called emergency spending, stretching the definition of ''emergency'' to the breaking point. It also increases military spending by nearly $9 billion—too much, and for the wrong items. The Republicans chose to provide questionable funds for the ''star wars'' program, while ignoring the need for adequate compensation and retirement for military personnel.

I must reluctantly vote against this omnibus bill. I say ''reluctantly'' because there are a few very positive provisions in the bill. Democrats have managed to win additional funds for new teachers and a number of environmental programs and these gains should not be minimized. However, I cannot condone the process by which this legislation was created or its misplaced priorities.

I have searched for any rationale to justify this fundamental breakdown of Congress. There was, however, no national emergency, there was no physical crisis, and there was no attempt at bipartisan cooperation. Instead, inaction, special interest pressure, and members' desires to go home have allowed us to accept this unusual process.

Hopefully, something positive will come from this episode. Perhaps the American public will pay more attention to how their tax dollars are managed. Perhaps these issues will become

an object of attention during the election process. Perhaps these developments will even inspire future fiscal cooperation, similar to the cooperation which has successfully fended off environmental attacks and continues to attempt to restore some degree of civility to congressional operations.

Every Member of Congress should be motivated to prevent a repeat of this failed budget process in the 106th Congress, regardless of which party is in charge. I am inspired to begin this conversation now, while the memories are still fresh. This bill be one of my highest priorities of the new year.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise this evening to express my extreme disappointment with the failure of this Congress to promote education for all American children. Providing quality education to our children is one of the most important responsibilities we have. As the only Member of Congress serving on the National Commission on Teaching and America's Future, I must speak about the lost opportunities for funding education in this Congress. The National Commission is comprised of governors, university presidents, state superintendents, superintendents of schools, principals, and educators from across the country. We have worked for years to evaluate the needs of students and have made recommendations that will improve the quality of education for all students. Our top recommendation is to improve the quality of our teachers by reducing class size and improving teacher training. I introduced legislation to implement these recommendations. In fact, there have been several good proposals to improve the quality of education, but unfortunately, the majority of this Congress has not seen the need to provide the infrastructure of education for our children.

That's just not fair to the public school children of America. Instead of working together to support the Democratic plan to reduce class size and modernize public schools, the majority of this Congress talks about school vouchers. The truth is that vouchers weaken public education. What will increase the quality of public education in this country is to pass the plan that the President proposed last January—let's reduce class size by adding 100,000 new, qualified teachers. Let's pass the plan to modernize our public schools so our children are in a safe and healthy environment to learn—not decrepit old buildings that are leaking and crumbling around them. Instead of supporting this proposal, the majority of this Congress tried to turn federal education aid into block grants with no accountability to ensure that funds will go where they are most needed, especially to poor and undeserved students.

Ninety percent of the nation's families send their children to public schools. The right to a quality public education for all children is part of the very foundation of our democracy. Whatever public resources we have available should be used to improve our public schools—not to fund private schools.

By directing more resources to public schools—instead of gimmick savings accounts—we can help parents, teachers, and administrators meet the important education challenges facing the vast majority of our children. As an educator and administrator in the Los Angeles Unified School District for many years, I can personally attest to the critical need to put more dollars into our public schools—not less. High technology and computers in every classroom do not leave any children behind.

That is one of the reasons I support full funding for the E-Rate program which will help provide needy public school students with better access to telecommunications technology, including the Internet and other educational media.

Congress should be working to reduce class size in the early grades and reduce class overcrowding. The average class size in the early grades ranges from 32 to 36 students—this is much too large for effective teaching and learning. Research demonstrates that reducing class size in the early grades will: (1) raise the level of student achievement in reading and math; (2) improve classroom discipline; and (3) better ensure that children are receiving the personal attention they deserve. That's why I support the President's initiative. This will help reduce class size in the early grades to 18 students across the country.

Congress should also be working to improve the quality of teachers teaching our children. We must have the best-trained teachers if we expect our children to be the best they can be. That is why I introduced teacher excellence legislation to change the way teachers are trained and to improve the quality of teaching in America's classrooms. We must provide every student in America with access to competent, qualified and dedicated teachers. We must provide a comprehensive approach to teacher training that provides professional development for veteran teachers. We must also provide mentoring for beginning teachers by veteran teachers who've spent years in the classroom and can share a wealth of experience with those just entering the profession. I believe that we must restore the stature and importance of the profession of teaching in our communities. There really is no higher professional calling than teaching and preparing our children for this new millennium.

These are just a few of the ways Congress can make a real and positive difference in the education of America's children. Education savings accounts and school vouchers will not do a thing to improve the quality of education for America's children except take precious dollars away from where it's needed the most—America's public schools.

It's not too late—I urge my colleagues to put the dollars where they are needed most—for educating America's children.

Mr. THORNBERRY. Mr. Speaker, in a bill this huge, there are obviously a number of good provisions and a number of provisions that are not so good. Each of us is called to weigh the good and the bad and to render our best judgment on the whole.

While this bill does continue funding for a number of important government programs, I am particularly interested in the assistance to farmers and ranchers hit hard by the worst year for agriculture in my lifetime. My district has been devastated by the most severe drought in 103 years. Those who did produce a crop found that they were offered extremely low prices while their costs of production only continue to rise. It is essential that we try to do something to offset the effects of drought and a world market which is neither free nor fair. The disaster assistance, market loss assistance, and tax provisions will be a significant help to producers in my district.

I am also very concerned about the state of our defenses, and the many years of real cuts in spending on our military. There are some additional resources for defense in this bill, and those are badly needed. The additional push for missile defense and the extra resources to compensate for readiness shortfalls are essential. LIkewise, it is better to appropriate additional funds for the Bosnia operation than it would be to further reduce our readiness and modernization to pay for it.

But, as badly as these additional funds for our military and intelligence efforts are needed, no one should think that this bill solves all of our problems. We have a serious mismatch between policy and resources which must be resolved. We also have to make tough decisions to ensure that the country gets the maximum benefits of each dollar spent on defense. Those decisions cannot be put off much longer.

There are a number of other provisions in the bill which I favor, yet I am also very disappointed that there is no broad tax relief contained in this bill. Families are having a tough time making ends meet all around the country. We had an opportunity to let them keep more of the money they earn, but we have not taken advantage of it.

I am also disappointed that we have not done more to address the severe problems many of my constituents are experiencing with home health care. This administration has mishandled this issue at every turn, and innocent people are suffering because of their ineptitude. We should have done more to remedy the situation.

There are a number of other provisions which I would vote against if I had the opportunity to vote on each of them. Unfortunately, none of us has that opportunity. We must vote on the entire, forty pound, four thousand page document. So, I will reluctantly vote for this bill.

At the same time, I have to express deep regret at this process which yields a gigantic bill, containing much of the year's work, for a single up or down vote. While Members know the major provisions in this bill, none of us has had the opportunity to become familiar with all of the provisions. That is wrong. It is absolutely essential that we overhaul the budget and appropriations process to prevent a repeat of this kind of legislation.

Mr. CASTLE. Mr. Speaker, I must reluctantly oppose the omnibus appropriations bill. I do so with disappointment rather than anger, because a lot of hard work went into this giant legislation. But what was necessary to get agreement with the President on this bill undermines our hard-won commitment to fiscal responsibility and could threaten the balanced budget.

The omnibus bill increases spending to a level that is not sustainable in future years unless we abandon the 1997 Balanced Budget Agreement. There may be arguments for amending the Balanced Budget Act. We have reached a balanced budget much faster than anticipated and perhaps we should revisit the agreement. But not in this manner. This is a backdoor way to avoid the spending limits the President and Congress agreed to only one year ago.

Mr. Speaker, we must face facts. This bill is spending the surplus. It is spending the Social Security surplus. This bill will reduce the 1999 surplus by at least $20 billion. The President has been less than candid with the American people. He has said that he wants to save the

surplus to save Social Security. What he really means is that he will save whatever is left of the surplus for Social Security after he gets all the additional spending he wants for other programs. He will not use the surplus for tax cuts, perhaps that is the right policy. But he should own up to the fact that he is spending the surplus on other Government programs. The amount available to strengthen Social Security will be reduced by at least $20 billion in this legislation.

Mr. Speaker, I know that negotiations between a Republican Congress and a Democratic President are never easy. There is no way this could be a perfect bill. I think Chairman LIVINGSTON and his subcommittee chairs have tried to get their work done. We also have to face the fact that there are real emergencies that require funding—the drought and income losses facing many American farmers and the damage from hurricanes and floods that affected areas of the Nation this year. However, the President has tried to take advantage of these legitimate emergencies and requested billions more in additional funding for programs that are important, but are not emergencies and should not be funded outside the budget agreement.

Putting a bill together to fund the eight remaining appropriations bills is a tremendous task, but frankly not many tough decisions were made in this omnibus bill. Instead, what was decided was to spend more money on everything. The President is the checkout clerk and we are buying our way out of town. The President clearly had the upper hand. He knew that it was the end of the session and Congress must adjourn, so he demanded funding for his priorities that he could not pay for within the budget agreement Congress was up against the wall, and the solution was to spend more money on the President's priorities and also spend more money on congressional priorities. That is no way to govern. We are setting a bad precedent and setting the stage for more increases in spending next year and the year after.

Mr. Speaker, I don't deny that much of what is in this bill is worthwhile. There is increased spending for medical research; for education; for anti-drug efforts and to improve readiness in our armed forces. If these things are needed, the President and Congress should tell the American people they are needed now and that we are going to use part of the surplus to pay for them. We should reopen the budget agreement and set new spending caps. But that is not what we are doing. We are designating $20 billion of this new spending as emergency spending to get around the budget caps. Thank goodness the surplus is projected to be at least $80 billion in 1999, because we are spending $20 billion of it right here.

The President has not told the American people the full story on what he wants to do with the surplus, but Congress is also to blame by delaying these eight bills until the end of the session and giving the President the opportunity to set up the most expensive exit toll in recent memory.

A better alternative to this omnibus bill would be to pass a continuing resolution for fiscal year 1999 that fund these programs at the 1998 levels. We could pass emergency appropriations for the most pressing needs of the farmers, other natural disasters and possible Bosnia operations at less than half the cost of the $20 billion in this bill. If more spending is needed for other priorities such as the year 2000 problem or Bosnia operation, there should be a legitimate effort to offset that spending with other reductions in lower priority programs. I helped put together a list of possible offsets. They were not perfect, but they did offer some options.

we should come back next year and craft a new budget agreement that saves Social Security, and then recognizes whatever is left of the revised surplus and uses that for a balanced plan of debt reduction, spending on other priorities like education, and affordable, fair tax reductions.

In addition, we should make emergency spending part of the budget and set aside funds each year for emergencies. A budget reserve account or rainy day fund is a better way to fund emergencies we know will occur each year.

This legislation is necessary to fund our government, but let's not pretend that it is a great victory. It is a bad compromise that relies totally on the surplus to hide an increase in spending that violates the budget agreement. It may be necessary to avoid a stalemate that causes a government shutdown, but it is no great policy victory. We have taken the first step down the slippery slope back toward irresponsible spending. I hope we learn a less from this flawed process, return to sound budget practices and protect the balanced budget.

Mr. SMITH of Oregon. Mr. Speaker, I rise in support of H.R. 4328, the omnibus appropriations conference report. This will be our last chance to provide the temporary crop and market loss assistance that our farmers need so desperately at this time. It is also an opportunity to make much needed changes to tax policy that will help producers remain competitive in the long term.

As I am sure you know, farm country is suffering this year. The conference agreement contains the provisions H.R. 4618, the Agriculture Disaster and Market Loss Assistance Act of 1998, which is critically needed at this time.

The upper Midwest is suffering as a result of devastating multi-year disease problems in their wheat crop. On top of that, their farmers and ranchers have been severely injured by flood and blizzard in recent seasons.

A dramatic drop in commodity prices for wheat, corn, livestock and other commodities have created tremendous economic pressure in farm country.

The price drops are a result of circumstances beyond farmers and ranchers control. These circumstances include economic dislocation such as the economic crisis in Asia and Russia and our own nation's unilateral trade sanctions.

Farmers also suffer from a failure of the government to pursue trade opportunities aggressively. The President refused to support passage of fast-track negotiating authority, a failure that will severely limit our ability to address trade problems and expand markets throughout the world.

President Clinton allowed the fiscal year end without utilizing $150 million in Export Enhancement Program funds necessary to protect our markets from unfair foreign competition. This is another lost opportunity to sell U.S. commodities.

And the President has done virtually nothing to resolve the ongoing trade disputes on wheat, cattle and barley with Canada that are of tremendous importance to our hard-pressed farmers and ranchers.

We also have wide areas of weather-related disaster this year. We watched all summer as drought conditions and excessive heat in Texas, Oklahoma, and throughout the South, destroyed crops and burned up pasture.

Adding insult to injury, a succession of hurricanes and tropical storms swept through Texas, Louisiana, Mississippi, Alabama, Florida, North Carolina, and Georgia adding to the crisis for our farmers and ranchers.

Today, we have the opportunity to enact a fair and responsive package to help relieve the complex problems in farm country.

This package was developed with the full cooperation and support of leadership in the House and Senate. Authorizers and appropriators on both sides of the hill worked together to craft a sound response that we can all take pride in.

The bill provides a total of $2.575 billion for disaster assistance and $3.057 for market loss assistance associated with trade disruptions. This bill will help farmers through this unprecedented combination of adverse market pressure and weather disaster.

Rather than seizing on the opportunity to create new programs needing endless funding, all the assistance in this bill is capped and limited to fiscal year 1998.

We have been fair to producers. This package gives the secretary broad flexibility to respond to all manner of crop disasters, ongoing disease problems, and livestock feed losses.

This approach is necessary for a number of reasons. First, since the growing season is not complete, there is an inability to fully define the extent and nature of the disaster at this time. Also, as a result of the intensity of the weather-related and economic distress, this will expedite the delivery of assistance to producers.

Giving the Secretary maximum flexibility will cut through red tape and allow assistance in a manner most beneficial to individual producers.

Finally, the bill takes steps to help improve the long term safety net for farmers and ranchers through improvements in our tax policy. The bill expands deduction of health care insurance premiums for self-employed individuals. This provision, which increases the deduction by one-third immediately, will help producers lower costs and thus remain competitive.

The package makes income averaging a permanent part of the tax code gives farmers and ranchers another tool to smooth out income spikes that are a part of every farm family's lives.

We have included 5-year net operating loss carryback. This tool works in reverse to income averaging: farm operators may carryback a net loss in its operations to prior years—up to five years back—when the operation paid federal income taxes. Taxpayers may receive a tax refund using the net operating loss carryback.

We need to press ahead with this conference report as quickly as possible so that we can deliver much-needed assistance to farmers and ranchers in dire need this year.

Mr. STUMP. Mr. Speaker, on October 10, the House passed the Veterans Programs Enhancement Act of 1998, H.R. 4110. Included as part of title I of that legislation was a comprehensive resolution of a number of issues

concerning Persian Gulf veterans and the government's response to their health concerns. These provisions were derived from House-passed legislation (H.R. 3980) and a bill recently passed by the Senate (S. 2358). For the benefit of my colleagues, I am including a detailed comparison of S. 2358 and the compromise we reached that was included in H.R. 4110 as amended a week ago Saturday.

The other body has not taken up this compromise because of a dispute between one of the cosponsors of S. 2358 and the chairman and ranking minority member of the Senate Committee on Veterans' Affairs. Instead of recognizing that the legislative process requires a willingness to compromise, this particular Senator has insisted that the Committees on Veterans' Affairs accept the text of S. 2358 without change. Failing to obtain assent to his demand, this Senator has held up Senate consideration of H.R. 4110. Further, he has persuaded the authors of the bill before the House tonight, H.R. 4328, to include the language of S. 2358 in it.

In an effort to avoid the inevitable passage of legislation which supersedes the language contained in this omnibus package, H.R. 4328 includes a provision which purports to ''repeal'' inconsistent provisions of law, including the provisions of H.R. 4110, a bill still pending before the Senate. It is a creative but ultimately futile action. It is a well-settled principle of statutory construction that a later-enacted law supersedes and repeals by implication any inconsistent provisions contained in existing law, even if those provisions were enacted only days earlier. Recognizing the dilemma which he has created by holding up action on H.R. 4110, the author of this provision attempts to absolve the executive branch from its responsibility to carry out all laws enacted by the Congress by declaring that a contrary act ''shall be treated as if never enacted, and shall have no force or effect.'' The clear intent is to avoid the effect of a later enactment. However, Congress is powerless to prohibit itself or a future Congress from changing its position on a particular issue and proposing a different authority or result. Even if one were to conclude that Congress presently has two positions on this issue, the later pronouncement is logically and legally the position which must be given effect, at least until Congress sees fit to clarify the matter further by subsequent action. Thus, the provision contained in this bill, H.R. 4328, is the one which will ''have no force or effect'' if Congress speaks in a contrary fashion on the same subject, and the President signs the statement into law on a later date.

Mr. Speaker, a casual reader might conclude that the provisions contained in the bill before the House this evening are so similar to the provisions contained in H.R. 4110 that the two bills should be read together and harmonized. However, a more careful reading should lead to the opposite conclusion. Fundamentally, the provision in H.R. 4328 takes a different view than the compromise in H.R. 4110 about the need for dispositive action on an issue of grave concern to the American people and current and past members of the Armed Forces of the United States.

The view taken by the authors of the provision contained in H.R. 4328, the bill we are now considering, is that Congress should have no role in deciding the future compensation policy for veterans. Instead, the provision seems to reflect the author's view that, despite the absence of any scientific evidence that illnesses experienced by Persian Gulf veterans are linked to exposure known to have occurred in the gulf—other than a small number of conditions such as leishmaniasis—we should leave it to the Secretary of Veterans Affairs to evaluate the evidence and arrive at conclusions that are essentially unreviewable. My colleagues will note the political irony of this position.

The compromise agreed to by the authors of the amendments to H.R. 4110 as it passed the Hose on October 10 takes a completely different view that cannot be reconciled with the language in H.R. 4328. We believe that the Congress has historically had, and should continue to have, the preeminent role in deciding which diseases or illnesses should qualify for veterans' disability compensation. Thus, the language in H.R. 4110 does not vest the Secretary of Veterans Affairs with authority to create new presumptions that illnesses are service-connected and thus compensable. Instead, it calls on the Secretary to review the available scientific evidence and the conclusions of the National Academy of Sciences and then to recommend to Congress what action if any should be taken by the Congress to authorize benefits. The laws authorizing disability benefits for veterans contain dozens of examples of actions by Congress in which it ''presumed'' that certain conditions must have been incurred while in military service, so that the United States has a responsibility to compensate for those illnesses. That has always been the role of Congress. The language of H.R. 4110 preserves that role, and cannot be reconciled with the language before the House today. By the fortune of good timing, the Congress' role will be preserved if the President signs H.R. 4110 after he signs this legislation. I urge him to do just that.

A COMPARISON OF S. 2358 AND THE HOUSE-SENATE COMPROMISE CONTAINED IN H.R. 4110

S. 2358	House-Senate Compromise Contained in H.R. 4110
1. Requires National Academy of Sciences (NAS) to review scientific evidence of association between exposures in Persian Gulf and veterans' illnesses.	1. Similar, but expanded to include review of evidence between service in the Persian Gulf and veterans' illnesses.
2. Extends authority for health care of Persian Gulf veterans through 2001	2. Same provision.
3. No comparable provision	3. Authorizes VA health care for veterans of future conflicts.
4. Requires VA and DOD to plan the creation of a computerized information data base to monitor health and service utilization by PGW veterans.	4. Asks NAS to advise whether it is feasible to monitor the effectiveness of VA treatment of PGW veterans and if it is feasible, require VA to do so.
5. Requires VA and DOD to report whether scientific studies recommended by NAS will be carried out	5. Similar provision.
6. Requires VA to inform veterans whether their exposure in the PGW created health risks and the services and benefits available to respond to those concerns.	6. Same provision.
7. Extends and improves VA program to evaluate the health status of spouses and children of PGW veterans	7. Similar provision.
8. Asks NAS whether an independent entity should be established to evaluate and monitor government response to post-deployment health concerns of members of the Armed Forces.	8. Similar provision.
9. Following the submission of one of the reports by NAS described in item 1, authorizes the Secretary of VA to award compensation for illnesses found by NAS to be associated with PGW exposures.	9. Not included. Instead, Secretary to make recommendations to Congress based on NAS report, and Congress to then decide whether compensation should be authorized.
10. No comparable provision	10. Establishes Public Advisory Committee to provide advice on government-funded research into PGW veteran health concerns.
11. No comparable provision	11. Requires NAS to develop a curriculum for training physicians and other health care professionals in treatment of illnesses of PGW veterans.
12. Asks NAS to review whether there are proven methods of treatment for illnesses which affect PGW veterans.	12. Same provision.
13. Requires outreach to PGW vets on health-related information	13. Similar provision.

NOTE.—OMB informally estimates that S. 2358 costs $500 million over five years and $6 billion over ten years in new entitlement spending. CBO's estimate is more modest ($40 million over five years and $540 million over ten years). The compromise embodied in H.R. 4110 has no new entitlement spending.

Mr. PACKARD. Mr. Speaker, I want to acknowledge the efforts of my Republican colleagues in insisting that we devote more resources toward our nation's defense. I am pleased that the omnibus appropriations measure includes critically needed funds for our service men and women.

A Republican Congress is offering much needed relief for our men and women in uniform who protect and serve our nation in the Armed Services. The omnibus appropriations bill has more than $9 billion worth of emergency spending for crucial defense and intelligence needs.

Included in the $9 billion of the omnibus appropriations Bill is $1 billion for the development of a missile defense system. These funds will help answer the emerging threat posed to the United States by the development and deployment of missiles around the world.

Mr. Speaker, the Chairman of the Joint Chiefs of Staff recently stated to Congress that ''Without relief, we will see a continuation of our downward trend in readiness next year and an extensions of the problems that had become apparent in the second half of this fiscal year.''

Mr. Speaker, we must address the deterioration of our military readiness. The provisions our Republican leadership insisted on in budget negotiations are an important first step.

Mr. BILIRAKIS. Mr. Speaker, I would like to provide additional background information on Congress' intent and understanding regarding section IX of the Labor, Health and Human Services, and Education provisions which may be cited as the ''Women's Health and Cancer Rights Act of 1998.''

Title IX of this legislation contains the ''Women's Health and Cancer Rights Act of 1998.'' This legislation, which requires coverage for reconstructive surgery following mastectomies, creates two new Sections in the Public Health Service Act—section 2706 which applies the requirement to health insurance issuers providing insurance coverage in connection with group health plans; and section 2752 which applies the same requirement to health insurance coverage offered by a

health insurance issuer in the individual market.

Section 2706 requires a health insurance insurer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits with respect to a mastectomy to include in their scope of coverage: (1) all stages of reconstruction of the breast on which the mastectomy has been performed; (2) surgery and reconstruction of the breast to produce a symmetrical appearance; and (3) prostheses and physical complication of mastectomy, including lymphedemas, in a manner determined under the terms of the plan or health insurance coverage in consultation with the attending physician and patient.

Section 2752 requires a health insurance insurer in the individual market that provides medical and surgical benefits with respect to a mastectomy to include in their scope of coverage: (1) all stages of reconstruction of the breast on which the mastectomy has been performed; (2) surgery and reconstruction of the breast to produce a symmetrical appearance; and (3) prostheses and physical complications of mastectomy, including lymphedemas, in a manner determined under the terms of the plan or health insurance coverage in consultation with the attending physician and patient.

Additionally, since the act is effective with respect to plan years beginning on or after the date of enactment, it is expected that the Departments administering the act shall follow procedures under which no enforcement action will be taken with respect to a violation of a requirement imposed by the act on a plan or health insurance issuer before the date of issuance of final regulations, if the plan or health insurance insurers has sought to comply with the act in good faith.

It is also the congressional intent that the agencies involved in issuing regulations will follow the same procedures under HIPPA as found in section 104 of the act.

Mr. HILLEARY. Mr. Speaker, I would like to announce my strong support for the Home Health provisions contained in H.R. 4328, the Medicare Home Health Care and Veteran Health Care Improvement Act.

First, I would like to extend thanks to Chairmen THOMAS, BLILEY, ARCHER, and BILIRAKIS and their staffs for their hard work and countless hours spent crafting this legislation.

Second, I would like to say how pleased I am to see that the 15 percent home health reduction scheduled for October 1, 1999, has been moved back a year.

When I wrote my bill, H.r. 4404, the HERO Act, I also made sure to address this problem. I know that without the delay of this draconian provision, the entire industry would likely go bankrupt. This delay now can give HCFA the necessary time to install an efficient prospective payment system.

Also, I would like to commend Chairman THOMAS on his willingness to stick to his guns on this issue and help the low cost states while at the same time not harming high cost states like mine. His per beneficiary formula does a commendable job in balancing the vast differences in the cost structures of different regions.

At the same time H.R. 4328 gives all regions a slight boost in the per visit formula. This is especially important to those who represent rural areas like myself.

Finally, I would like to thank members from both sides of the aisle who have worked tirelessly on this subject, especially Congressmen RAHALL, ADERHOLT, COBURN, PAPPAS, SANDERS, STABENOW, and WEYGAND. If not for their hard work and perseverance, we would not even have this bill before us today.

I do feel that our work is not yet finished for home health. There are many areas still in need of improvement, but this bill clearly takes us in the right direction.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to take this opportunity to speak on behalf of this bill, which sets the funding for almost half of the federal government programs and institutions for the next fiscal year.

For myself and my Democratic colleagues, this is a bittersweet day. While I applaud the efforts my colleagues here in the House and in the Senate put forth to get this deal done, the bill leaves a lot to be desired. Many programs that my constituents have grown to rely on have been unmercifully cut, and others, unceremoniously dumped. At the same time, many important Democratic initiatives, like the Patients Bill of Rights and campaign finance reform, were put off for another year.

Having said that, I applaud the efforts of the President and the Democratic Caucus to put 100,000 new teachers in our classrooms. Although this bill only presents a first step towards that goal, as it only provides for two new teachers for each school district—it is a much-needed first step that must be followed up with funding by Congress over the next couple of years so we can realize the benefits of this initiative.

Teachers are a much-needed resource, one that we ought to rely upon to help us grow productive new citizens. We cannot expect to grow as a society without good teachers to prepare our next generation for their difficult road ahead. I hope that these funds can be used to recruit new teachers that are skilled in the areas of math, science, and engineering—where we need the most help. Furthermore, I hope that the new teachers that we are able to bring aboard are ready to help prepare our children for the information age, and teach them the basic computer skills that all of our children need to progress in the future.

I am also happy to that the final budget contains $871 million in funding for the Summer Jobs Program. That program provides valuable employment services for over half a million disadvantaged youth, 41,000 of whom live in the State of Texas, and 5,000 of whom are from my home town of Houston. In fact, this program provides over 20% of all the jobs that African-American youth aged 16 or 17 hold nationwide. It also provides a slightly lower percentage (13%) of all the jobs held by Hispanic children in that same age group. However, I want to emphasize that Summer Jobs is a program that serves all of our youth, and I am happy to see that it is funded appropriately.

As the founder and Chair of the Congressional Childrens Caucus, I am also happy to report that this bill contains funding for other important programs aimed at helping our youth. Representative PORTER and I worked together to find an additional $5 million in funding to raise the amount for the Children's Mental Health Services Program from $73–$78 million. Goals 2000, which does tremendous work in my district, is set to receive $491 million under this bill, up $245 million from the amount originally set by the House Appropriations Committee. Head Start, another successful program, has received $160 million more under the final version of this bill, in relation to the version authored by the majority. Two other important programs, GEAR-UP and American Reads, which were nullified by the original version of the Labor-HHS bill, have been vindicated to the tune of a combined $1.46 billion. I am also happy to see the enactment of $524 million Hispanic Education Action Plan, which aims to decrease the high-school dropout rate amongst the Hispanic population, which is far too high. I am glad to see these amounts, because I know that this investment in our future, will pay high dividends.

I would also like to comment on the fact that we were not able to get the much-needed funds that would have been used for school modernization projects. Across the country, too many schools are beginning to show their age. They have leaky roofs and creaky floors. Other schools have grown too quickly, and now must conduct class in rooms that are not really classrooms—they are ''portables,'' or even worse, multi-purpose rooms partitioned into pseudo-classrooms. In my district, there are schools that carry rotating lunch schedules simply because they do not have the space to let all of the children eat at lunchtime. I hope that next year, we can help remedy this directly, and return our national school system to the pinnacle of excellence that it has enjoyed in the past.

I am thankful that we here in the House and the administration could come to terms on the International Monetary Fund (IMF). Under this budget, we will be able to help stabilize the global economy that we are truly a part of. Just yesterday, we passed a House resolution that expressed our concerns about what our neighbors and trading partners have been doing to help them stay afloat during these turbulent times. That resolution was necessitated, not because of their plight, but because of the effects here at home. If we need another reminder, we only need to look at the stock market in the last few months, where we have seen a virtual roller-coaster ride develop in response to pronouncements made by our partners abroad. I hope that these funds will help start the healing that needs to happen to get ourselves and our allies back on the right track.

I would also like to note that this final budget fully funds President Clinton's Child Labor Initiative. This initiative includes a tenfold increase, from $3 million to $30 million, in our commitment to the International Program for the Elimination of Child Labor (IPEC) and includes a provision that works to make sure that our migrant youth are not taken advantage of by unscrupulous employers. I gladly endorse both of these plans, because the attempt to make sure that all children have the opportunity to be children, and are not forced to grow up before their time.

I am grateful that we were able to put together a $6 billion emergency spending package of farmers. In my home State of Texas, we have suffered a long and arduous drought that threatens the livelihoods of many farmers that have sown their fields for generations. This bill may not make them whole again, only the good graces of God and a wet winter can do that, but I think it will help them ride out this terrible weather.

Another program that has helped Texans ride out the horrible weather is the Low-Income Housing and Energy Assistance Program (LIHEAP), which is funded at $1.1 billion under this bill. That program truly proved its worth this summer in Harris County, Texas, when it provided $2.9 million for the purchase of air conditioners and fans for families desperately needing relief from the unrelenting heat. That summer heat claimed the lives of several people in the State of Texas this year, and who knows how many more it would have claimed without LIHEAP. Needless to say, I am very grateful that LIHEAP will be here for another year as a result of this bill.

Also of note, as a result of the bargain struck by the administration, we will continue to make progress towards an improved census until June of next year. Under the budget, the Bureau of the Census is allowed to continue their important work through June 15 of next year. I am relieved to know that during that time, the Bureau will be able to work using the same modern methods that are used throughout academic and private sectors—and I look forward to fighting for the use of sampling next session, when we engage in the debate over the use of modern science again. I look even more forward to a time when I can go home to my district and tell each of my constituents that we, here in Congress, pay as much attention to them as we do any other person, no matter where they live or no matter how much they make.

Mr. ARCHER. Mr. Speaker, the conference report on H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, includes a number of revenue and Medicare provisions contained in other legislation considered by the Committee on Ways and Means and recently passed by the House.

Specifically, it includes items from H.R. 4738, a bill to extend certain expiring provisions and provide tax relief for farmers and small businesses, as well as H.R. 4567, the Medicare Home Health Care Interim Payment System Refinement Act.

The tax plan included in the bill does three principal things. it extends a series of tax relief provisions to help businesses create jobs, it helps people coming off welfare as well as other hard-to-place workers to get jobs, and it includes three emergency provisions to help farmers and ranchers who have been hit by tough times so those farmers and ranchers can keep their jobs.

This plan gives farmers and other small business owners a 100 percent deduction for their health insurance costs in 2003—4 years earlier than under current law—and increases the deduction to 60 percent in 1999 through 2001, and to 70 percent in 2002.

I'm particularly pleased about three provisions dealing directly with the farm emergency. One provision lets farmers benefit from permanent income averaging. Another extends the net operating loss carryback period for farmer losses, providing immediate help this year when it is needed the most. The third item protects farmers from having to pay tax on farm program payments until the year in which those payments are actually received.

Due to the importance of this non-controversial package, the time sensitive nature of these proposals, and the unlikely prospect for separate action in the other body, I did not object to its inclusion in the omnibus bill. However, I want to make clear that this is a unique situation. I do not intend to permit consideration of tax proposals in this way in the future. While the outcome was necessary for the Congress to conclude its business, the process was clearly lacking. If nothing else, this experience has confirmed my longstanding belief that the proper method of dealing with tax and appropriations matters is in separate legislation originating from the respective committees of jurisdiction, following regular order. I'm confident that all involved with this legislation intend to return to that in the future.

With respect to Medicare, the Omnibus bill contains the provisions of H.R. 4567, the Medicare Home Health Care Interim Payment System Refinement Act of 1998, along with a revenue offset.

This legislation is necessary to deal with the situation created by the administration's failure to implement the Medicare home health care prospective payment system on time. As a result, the Health Care Financing Administration is operating under an interim payment system for longer than was intended. The current system is simply unsatisfactory and causing real hardship for our nation's seniors and in the home health industry. Due to the time sensitive nature of the home health problem, I did not object to its inclusion in the omnibus bill.

Let me compliment Ways and Means Health Subcommittee Chairman BILL THOMAS for his tireless efforts to reach a solution to a most difficult situation that is both fair and equitable. I also thank our colleagues on the Commerce and Senate Finance Committees for bringing about this solution. The home health legislation enjoys bipartisan support in the Congress, and has been agreed to by the administration, and should become law.

Ms. DEGETTE. Mr. Speaker, today, I rise in opposition to H.R. 4328, the Omnibus Appropriations Act for fiscal year 1999. While there are a number of laudable items in this product, I am very concerned that we are cutting $20.8 billion or nearly one-third of our budget surplus to pay for it. The budget surplus should be dedicated to preserving the Social Security trust fund, not padding the Pentagon with $9 billion in extraneous spending that it did not request. A throughtful budget process would have allowed us to fund these programs within our spending caps.

Despite the egregious process and irresponsible budgeting that went into this bill, there are a number of important programs funded in it. My district will receive much needed transportation dollars to fund the continued improvements of the Mousetrap and Broadway Viaduct as well as money to build an annex to the Denver federal courthouse. It will receive money for important medical research at both the Colorado Health Sciences Center and National Jewish Medical Research Center. I am also encouraged to see the Congress making an important downpayment to hire 100,000 new teachers in our nation's secondary and elementary schools. I am, however, disappointed that the bill failed to include what I believe is an even more important effort in education—modernizing our schools. I am pleased that the looming Y2K crisis is finally being addressed by the Congress in this bill and after initially being cut by the Republicans, that the Low Income Housing Energy Assistance Program (LIHEAP) was fully funded.

But it is no surprise that in a 4,000 page, forty pound bill that there are some good items. Yet I cannot defend violating our budget agreements of last year and raiding the surplus to pay for last minute political handouts or pork programs. We made a commitment to our seniors to dedicate the budget surplus to preserve the Social Security trust fund. This bill breaks that commitment.

Mr. BENTSEN. Mr. Speaker, I rise in opposition to the rule, H. Res. 605, for consideration of the omnibus appropriations bill for fiscal year 1999. About a year ago, Congress passed a new law to balance the Federal budget for the first time in 30 years. Combined with earlier deficit reduction efforts and a strong economy, the Balanced Budget Act of 1997 yielded the first budget surplus in 30 years. Unfortunately, that progress may well be stopped cold by the passage of a highway bill and now the omnibus appropriations bill for fiscal year 1999 and, in particular, the emergency supplemental appropriations portion of the bill. Both are similar in that they are loaded with pork-barrel spending projects and rushed to passage by the House leadership bereft of other accomplishments and eager to adjourn for the year.

I want to note that even though our economy is fundamentally sound and there is a $70 billion budget surplus, we are still running a $5.5 trillion debt that forces us to pay nearly $250 billion per year in interest. We should be using most, if not all, of the surplus to pay down that debt. It is shameful that in a year in which Congress has failed to address many critical issues, including, until now, the world financial crisis, financial modernization here at home, and protection for patients in managed care plans, the only significant legislation that will pass represents a return to the fiscally irresponsible practices that for so long undermined our economy and public confidence in government.

I support the general appropriations portions of this bill. Increasing spending on the National Institutes of Health, education, Head Start, college loans and grants, as well as the long-overdue recapitalization of the IMF, are commendable and indeed critical to our economic health and are offset within the limits of the Balanced Budget Act of 1997. But, the abuse of the emergency spending process and the amount of pork barrel spending are deplorable. No hard choices were made in this budget. The only thing we did was say no to an outrageous tax cut, which would have mortgaged our economic future.

I support the concept and use of emergency spending outside the spending caps, but only for true emergencies. There can be little question in this instance that the emergency supplemental appropriations process was abused and loaded with billions of dollars of spending which do not meet the true test of an ''emergency.'' Yes, there are legitimate emergencies, including agriculture relief and defense readiness. Embassy safety is an emergency. Natural disasters are emergencies.

But pure pork barrel spending is not an emergency. Our troops in Bosnia must be funded, but after 3 years, it is getting on a little long for annual operations in Bosnia to be considered an emergency. New cargo planes or a carrier helicopter the Pentagon did not ask for is not an emergency. One billion more for the strategic defense initiative (SDI), already funded in fiscal year 1999 Defense bill, is not an emergency. Categorizing any spending as 'emergency' spending permits the Congress to escape from making hard choices: do

we want to invest in health care or provide tax relief? Do we want more teachers in our classrooms or more money for roads? The Congress will never have to make those choices, which is to say, we will never have to govern.

While the underlying annual appropriations bills are generally good and contain offsets to meet the spending caps, the process by which we are considering this bill may well set a dangerous precedent for using emergency spending as a vehicle to circumvent the budget caps. We may soon regret this. Thus I must oppose this rule. A better way would be to vote separately on the emergency supplemental appropriations bill containing the emergency spending.

I hope that my colleagues on the other side of the aisle have learned a lesson. When you govern, you can't forfeit the business of government to the right wing. The Democrats governed from 1974 to 1994 without once failing to pass a budget resolution and allowing the budget process to be hijacked by a committee other than the Budget and Appropriations Committee. Maybe the majority does not care if government fails. But the American people don't want government to fail and that is why, in the future, we should act more responsibly during the budget process.

Mr. COYNE. Mr. Speaker, I rise today in support of this ''must-pass'' legislation. This bill provides critically needed funding for health care, education, medical research, law enforcement, transportation, and other top priorities.

As is inevitable with any bill that is several thousand pages long, this legislation is not perfect. I regret that the Republican congressional leadership so mishandled the budget and appropriations process this year that such a massive bill was necessary. I would merely note that this is the first year since the Budget Act was passed in 1974 that Congress has failed to pass a budget resolution. I think that that is a very sad commentary indeed on the leadership—or lack thereof—in the House and Senate this year.

This is not the first year, of course, in which an omnibus bill has been passed. It has often been the case that the most contentious spending issues cannot be resolved until the end of a session, and that the only way that a resolution can be achieved is through a massive bill in which parties compromise and trade off concessions in one account for gains in another. That is, after all, one of the defining characteristics of a democratic form of government. In such cases, legislators must look at the bill in its totality and determine whether, on the whole, it merits their support.

In this case, I have decided that the many positive aspects of the bill outweigh its negatives. I will support it when the House votes on it today, and then, next year, I will work to change any provisions with which I do not agree. That, too, is a hallmark of the democratic form of government.

I am pleased by many of the provisions contained in the bill.

A number of important funding increases are included for federal education programs. The bill includes $1.2 billion to begin carrying out the President's plan of hiring 100,000 more teachers across the country. By hiring these teachers, we can reduce class sizes in first through third grades, where studies have shown that class size has a dramatic impact on learning. The bill also includes the $313 million increase in Head Start that the President requested. School-to-Work programs are increased by $25 million, and the Summer Youth Employment program, which introduces many young people to the world of work, is funded at $871 million—last year's level—despite Republican efforts to eliminate it. Finally, the bill increases the size of the maximum annual Pell Grant, which helps to make higher education more affordable for all Americans.

The Low Income Home Energy Assistance Program (LIHEAP), which provides much-needed help to low-income households in paying their utility bills, will receive $1.1 billion, the same level as last year—despite Republican efforts to eliminate this important program.

Also in this bill, the National Institutes of Health, which fund life-saving medical research, by nearly $2 billion in 1998.

The bill includes $1.4 billion for community policing and $283 million for implementation of the Violence Against Women Act, as well as an increase of $111 million for anti-drug programs.

This legislation also reauthorizes the three Trade Adjustment Assistance programs through June 30, 1999. I have been a consistent and long-standing supporter of these important programs.

In addition, the bill will accelerate the schedule for making health insurance premiums for self-employed individuals 100 percent deductible. Under this bill, 60 percent of such expenses will be deductible for 1999 through 2001, 70 percent will be deductible in 2002, and 100 percent will be deductible in 2003 and thereafter. Under current law, these expenses would not have been deductible until the year 2007.

I am, however, concerned that certain provisions were included in this legislation.

This Congress has failed the 55,000 critically ill patients waiting for organ transplants. Because of a legislative rider attached to this bill in violation of House rules, many of those people will have to wait longer for transplants. They will not have the security of knowing that UNOS, the independent contractor we pay to run the transplant system, is being held to any performance standards. Reliable estimates indicate that during the year of delay caused by this rider, over 200 people who could have been saved will die waiting for transplants.

In the current system, patients wait an average of 2 years in some parts of the country and 2 months in others. Wealthy patients, who can afford to travel to multiple centers to get on their waiting lists, are more likely to get transplants than poor patients. In addition, minority patients, who often require a larger donor pool to get a match, are seriously disadvantaged by a locally-based system.

Transplant patients deserve better. They deserve a system in which every patient has a fair chance to receive a life-saving organ transplant.

After years of study in which input was solicited from patients, medical experts, and the transplant community, the Department of Health and Human Services (HHS) issued regulations requiring UNOS to equalize waiting times by region and meet other basic performance standards. Their decision was supported by the largest transplant patient association. It was also endorsed by many respected, impartial observers, including the editorial boards of the New York Times, the Washington Post, the Pittsburgh Post-Gazette, and most other major newspapers.

Instead of working with patient groups and HHS to design a better system, UNOS launched what HHS Secretary Donna Shalala called ''a misleading lobbying campaign,'' which they financed using the money sick patients pay to be on the organ transplant waiting list. I regret that their campaign was successful. This omnibus appropriations bill includes a legislative rider blocking HHS from implementing the new regulations—in blatant disregard of the public good and blocking a regulation which would have saved hundreds of lives. I strongly oppose this decision, and I will work to correct this mistake early next year.

I also have concerns about another health care issue. While Congress has included changes in the interim payment system (IPS) for home health care in this bill, it has failed to solve the serious problems with the IPS. This April, I joined several of my colleagues in introducing a bipartisan bill which would have corrected this formula. The bill, which has over 100 cosponsors, would have raised payments by an average of $1,000 per patient for home health agencies in my district—preserving access and quality of care for the Medicare recipients who depend on the program's home health care services. The relief provided to efficient home care agencies in this appropriations bill amounts to significantly less than that. Negotiators also failed to make the relief retroactive, something I supported in our bill and again in the Ways and Means Committee.

Democrats wanted to do more for home health care and the seniors who depend on it. During the final negotiations on this bill, the administration and Congressional Democrats proposed offsets for a more comprehensive relief package for home care. Their proposal was rejected by Republican leaders.

While I am disappointed that we were not able to do more, this package does provide some relief for efficient home health care agencies. Even more important, it delays an upcoming 15-percent across-the-board cut, a cut many home care agencies in Pennsylvania told me they could not survive. I believe that the package included in this bill is less than we could have done and less than we should do. But I will support it because I believe it is the best that can be enacted at this time. I plan to continue working to fix the IPS in the 106th Congress.

In conclusion, let me just reiterate that no one will be completely satisfied with this bill. But, on the whole, I believe that this is the best compromise that can be achieved at this time, and I intend to support when the House votes on it in a few minutes.

Mr. MORAN of Virginia. Mr. Speaker, I rise in support of the conference agreement. Mr. Speaker, this is not a perfect bill, but it has some very important provisions. I applaud the $1.2 billion downpayment for hiring 100,000 new teachers. This bill begins the task of reducing class size in the early grades to a national average of 18. This provision will help ensure that students receive more individual attention, build a solid foundation in the basics, and help maintain an orderly learning environment in the classroom. This initiative is especially important because the children of the baby boom generation are creating a demographic echo in the classroom. We need new teachers to relieve the crowding and provide the attention each student needs.

I regret that the President's school modernization proposal is not in the bill. This initiative could have leveraged $22 billion in bonds to build and renovate schools, which is sorely needed all over this country.

However, there are many other important education programs funded in this bill, including child literacy, after-school programs, college mentoring for middle school children, funds for education technology and teacher recruitment, Head Start, and charter schools.

Many of the most onerous provisions that had been in the individual appropriations bills have been deleted, including the many, but not all, of the anti-environmental protection riders in the Interior bill. But the bill provides critical funding for clean water, protecting endangered species, and fighting global warming.

The omnibus bill includes major increases in health and science research, with a 7-percent increase for the National Science Foundation, and a 14-percent increase in funding for the National Institute of Health to support greater research on diabetes, cancer, and the development of an AIDS vaccine. The bill's increased funding for the Centers for Disease Control will help us fight infectious disease, and improve prevention of leading killers like heart disease and diabetes.

Other important provisions include: a 10-fold increase in this country's commitment to fight abusive child labor by increasing the U.S. contribution to the International Programme for the Elimination of Child Labor; funding for 17,000 additional Community Oriented Police Services (COPS) police officers; and $79 million to expand food safety.

Finally, I am very pleased that funding was provided for the International Monetary Fund. This funding is essential to avoid letting the Asian financial crisis create a major recession here in the United States.

The bill has some flaws, but I think we got a good agreement, and I urge my colleagues to support it.

Mr. PORTER. Mr. Speaker, I rise, albeit reluctantly, to support H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999.

I use the term reluctantly advisedly, since this bill contains many flaws. I will leave to others, at another time and in another place to judge the strategy that has brought us to this legislative and budgetary circumstance. For myself, I will only say that the bill raises profound concerns.

This bill contains within it the Labor-HHS bill—a bill that was considered by neither house of Congress. Surely, this failure is repugnant to the values of representative government imbedded in our Constitution, and should never be allowed to happen again;

The bill is expensive—very expensive, and make no mistake, its out-year impact on the budget will be profound;

This bill contains numerous authorizations, including major tax legislation and significant changes to social and other programs. Some of these provisions are fully conferenced, some passed only one house and some have never seen the light of day in either house. Again, a massive breach of our legislative responsibilities;

While we have increased funding for education, inevitably we also have increased the Federal role, a very troubling turn of events;

Staff is important, and we could not operate without them. However, in the end there are only 435 of us who run this place and in these large bills, the extraordinary volume of material and the highly compressed time schedules means staff plays far too great a role. There may be a few people who understand fully what is in this massive bill, but I doubt that among them are many Representatives elected by the people.

Most importantly, this huge spending and legislative package is the result of tolerance of a failed budgetary process. Not only was there no budget resolution adopted by the Congress this year, we were once again delayed by months by the budget process in starting appropriations mark-ups. The Budget Committee should either be abolished or, at least, should be made to do their work on time. Appropriators, next year, should proceed to mark-up on April 16 whether we have a budget resolution or not. Perhaps the threat of our proceeding will move the budgeteers to work more diligently.

Having said all that, Mr. Speaker, I still support the bill. First because defeating it would not make it better and second, as in many human endeavors, this bill contains many good provisions.

We have provided over a $2 billion increase for biomedical research—the first stop toward doubling NIH in 5 years. This level will accelerate the truly breathtaking advances in treatments and cures for diseases that plague humankind. Let me pause here to stress something about which I feel most strongly: Funding NIH is not an act that benefits one segment of society—not an economic group, not a racial group, not a group of institutions. Disease, it is said, knows no racial, no economic, no geographic boundaries. Successful treatments and cures of diseases that have been the scourge of humanity for centuries benefits us all.

The bill increases funding for other important programs such as Job Corps, Community Health Centers, CDC, drug treatment, youth violence prevention, impact aid, special education, and higher education.

Reforms that are important to many members are in the conference report. These include: Expanded Hyde language; a ban on Federal funding for needle exchange programs; the ergonomics study included in the House reported bill; an additional 1 year moratorium on regulations relating to organ procurements; a requirement that title X clinics report cases of rape or incest; and a ban on the administration's voluntary national test, including pilot testing.

As I indicated at the outset, this is a flawed document. However, given the circumstances in which we found ourselves as negotiators, it is the best we could do. I support it and urge my colleagues to do likewise.

Mr. VENTO. Mr. Speaker, I rise in bittersweet support of this colossal final budget package. This omnibus appropriations measure funds a total of $486.7 billion for fiscal year 1999. This represents the largest single legislative measure in recent history, compiling almost 8,000 pages of text and incorporating eight regular appropriations bills. over the past 2 weeks of budget negotiations that resulted from Democrats' insistence and pressure, this bill is a success in achieving some victories for the American people. These victories include the down payment in 1999 for a 100,000 teacher initiative that will reduce class size; increased funding for such programs as Head Start and After-School Learning Programs; increased investment for the EPA to achieve a cleaner environment; much needed emergency assistance to farmers; funds for the International Monetary Fund (IMF); and $475 million in U.S. debt payments to the United Nations, unfortunately with strings attached. This bill has provisions which move people from welfare to work and empowers communities, advances a strong health and technology research agenda and improves the public health of Minnesota and America. Despite these accomplishments, much work remains. In this bill, the GOP majority has demonstrated an overall record of failure and missed opportunities. This process has not accorded debate or public awareness of our decisions and the impact of this action.

I am pleased to see that this omnibus bill alleviates some of the problems within the original Labor-HHS-Education Appropriations bill. The Republican majority had proposed eliminating important programs which would have shortchanged the most needy and most vulnerable of our Nation's citizens. This version assists millions of America's families with the reallocation of funding for LIHEAP, provides money for crucial education programs and reinstates funding for the summer youth jobs program.

Our public schools face enormous challenges in the next several years, including record high numbers of students, increasing proportions of students with disabilities, billions of dollars in unmet infrastructure needs and the challenge of making education technology available to all students. While there is still much work to be done, this omnibus bill provides funding for critical programs in this fiscal year which will allow school districts to address these challenges. Most importantly, the measure provides funds to reduce average class size and the first wave of 100,000 new teachers, a major step in our work to increase student achievement and improve classroom discipline in grades first, second, and third. These years are critical when basic skills such as reading are attained which we take with us for the rest of our lives.

I also support this measure's funding for the Low-Income Housing Energy Assistance program, or LIHEAP. In the wake of tornadoes, floods, hurricanes, and other natural disasters, the Republican leadership had seized upon an opportunity to create a battle between underserved populations. The original Labor-HHS-Education bill justified taking money out of LIHEAP to pay for an increase in our Nation's medical research program. While I understand the importance of advancements in medical research, robbing Peter to pay Paul would not have alleviated the long-term health, nutrition, and safety problems caused by placing low-income individuals in between a rock and a hard place, forcing them to decide whether to heat, eat, or go without health care. Fortunately, this Omnibus Appropriations bill reflects a more responsible congressional commitment toward the struggles of low-income individuals tempered by a strong democratic administration backed up by the Democrats in Congress. It is my hope that we can strengthen this commitment in the 106th Congress by funding LIHEAP in a manner that reflects the changing economy and adjustments for inflation. I urge my colleagues to continue to express their commitment to a more preventive approach to meeting the needs of underserved populations. While this measure provides smaller

classroom size numbers, it does not provide the decent classrooms that are the focal point of learning. Our commitment should match the needs and our rhetoric about the importance of education.

This agreement allocates an additional $15 million for the Community Development Financial Institutions Fund, bringing it closer to the President's request, but only to $95 million. This increase will help the Fund serve more CDFI's and banks in communities around the country. Other positive funds for housing and community development includes $10 million in additional funds for HOPWA (Housing for Persons with AIDS) and $45 million additional funds for new empowerment zones and enterprise communities.

Furthermore, this conference agreement will provide for a 6-month extension of Chapter 12 of the Bankruptcy Code for family farmers. As this Chapter expired at the end of September, its extension is crucial for our farmers who are struggling in a difficult world economy.

I am also very supportive of the inclusion to provide close to the President's request of $18 billion in funding authority that will finally recognize our obligations and responsibilities to replenish the International Monetary Fund (IMF). This credit is vital to serve and replenish the IMF funding base which has been severely depleted the financial crises in Mexico, Asia, Russia, and now spreading to South American countries. I and other members of the House Banking Committee fought for several reforms which were incorporated into the bill which include: the disclosure of IMF decision documents, encouraging the involvement of the private sector creditors in troubled countries and improving the input the IMF receives from the international community. Clearly, in the future this Congress and others will be examining the global financial architecture and its safety nets such as the IMF and the World Bank. The immediate concern, however, was to replenish the coffers of the IMF so that we can address the serious global economic turmoil right now. This funding will ultimately benefit American workers, businesses and farmers by protecting and bolstering our global economic strength.

Moreover, I am pleased that the GOP dropped its restrictive language aimed at foreign organizations who receive family planning assistance from using their own funds to seek to change laws in their own respective country. This important funding for preventive family planning leads to a decrease in unintended pregnancies, a decrease in maternal deaths, and a decrease in abortion.

While this GOP-led Congress has consistently attacked our Earth's natural resources, this agreement does invest in the end help move toward a cleaner environment. H.R. 4328 includes important new investments to protect national parks and forests, restore endangered species, and develop clean energy technologies. Specifically, this measure provides for $1.7 billion for the President's Clean Water Act Plan, $325 million to preserve precious public lands, a 23-percent increase to protect threatened endangered species and funds more than $1 billion, a 25-percent increase, to fight global warming. However, much environmental work still remains for the future because the Republican majority's indifference to reauthorizing and freeing the Superfund cleanup programs. The President called for a 40-percent increase to accelerate Superfund cleanups. While I strongly supported this initiative, the GOP simply refused these funds, threatening to delay cleanup at up to 171 sites in Minnesota and across the country. This is simply wrong. We must correct this as we move into the future.

In addition to the eight appropriations bills incorporated into this omnibus package, H.R. 4328 also provides an additional $20.8 billion in supplemental funds. It is no surprise that the largest category of supplemental funds is for the Pentagon. While I support additional funds for Bosnia peace operations and military readiness, the GOP's insistence on increasing defense spending by $6.8 billion are on top of the $271 billion already appropriated earlier this year which was filled with projects of questionable value. This seems to be important due to the fact of the district and State in which they were built.

Importantly for Minnesota, this agreement includes my legislation that designates a U.S. Post Office in my district of downtown St. Paul the ''Eugene J. McCarthy Post Office Building.'' This bill passed the House in February of this year. I am proud that this historic Minnesotan will receive the honor and respect he has earned for his years of service to Minnesota and our Nation. In addition, an important provision was included for intermodal transportation improvements for the Minnesota Science Museum located in St. Paul. This will facilitate the utilization of resources that Congress has previously authorized.

Overall, this massive Appropriations agreement is a victory for the American people. This is pragmatically based upon the make up of this Congress. I would like this bill without the add-on changes. However, getting this bill passed held up Congress at a price. We have often ducked the serious long-term problems and expended on questionable policy. I have many concerns regarding the policy path to this success. This GOP-led majority has spent the first 9 months of 1998 investigating rather than legislating. For the first time in almost 30 years, we have no budget. The Republican leadership has turned its back on the American people in not addressing school construction initiatives, providing a real Health Patients Bill of Rights to deal with the HMO's, failing to make reforms to our campaign finance system, and ignoring our child by killing tobacco reform and settlement measures to reduce teen smoking. Thankfully, we were able to resist the damage to the Social Security Insurance program. This bill is not governing. This is the failure to govern. I think this points out the failure of the GOP-led House and Senate Congress. No longer have we passed separate policy and spending bills. Rather, all is crammed into one massive omnibus bill. Separate policy and spending measures passed neither the House nor the Senate. These spending measures were not even debated on the floor to Congress.

This Congress for the past 4 years has been bogged down with 50 investigations, 35 of which are still going on. Instead of investing in our people, the Republican majority has chosen to investigate their political opponents. It is the new cottage industry. The results of the Republican leadership's conduct is why we are where we are today. This is wrong and the people's agenda has suffered. It is my hope that the 106th Congress can get back to addressing the real business of the American people.

Ms. HOOLEY of Oregon. Mr. Speaker, when I watched the 104th Congress—the partisanship and the petty games—I was sickened.

I was frustrated by the willingness of a Congress to shut down the entire Federal Government for political gain; and I was frustrated by the proliferation of environmental riders that were attached to spending bills; and I was frustrated by the attacks of that Congress on public education.

Mr. Speaker, we started this Congress on a different note. I am proud of the bipartisan balanced budget that we passed last year, and I had hoped that we could do that again this year.

However, I am deeply disappointed by the process that has been provided for the consideration of this bill. We will vote shortly on a bill to fund over half of the Federal Government. It combines 8 funding bills into 1, and is over 4,000 pages long.

And it is a bill that few people, if anyone, has read entirely. In fact, most Members have been granted only a brief glimpse at the text and have gained most of their information second hand.

And we're at this point because this Congress failed to draft a budget document and to pass the customary 13 appropriations bills.

But while the process has been fundamentally flawed, I will support the passage of this bill today.

To my constituents, it is critical that we maintain the operations of the Federal Government; * * * that we keep channeling the money to our schools, to our farmers, to health care research, and to building transportation systems.

And there are some positive aspects to this bill:

It finally provides the funding for 100 thousand new public school teachers that we've been fighting for throughout the last two years; it expands after-school programs, Head Start, Summer Jobs, and it funds a substantial increase in the maximum Pell grant award; and it provides the funds to put an additional 17,000 police officers on the streets.

Despite shortcomings in this bill and the flawed process of the past few weeks, I think it's critical that we vote today to make this funding available.

Mr. DINGELL. Mr. Speaker, the bizarre process forced upon us by the House's failure to complete its work on time has produced an adequate legislative product in the form of the omnibus appropriations bill. If but a fraction of the time, energy and resources devoted to political investigations went instead toward passing legislation, the 105th Congress might have compiled a substantial record of achievement.

Many of the ill-advised provisions that appeared in earlier versions of this legislation have wisely been dropped. The omnibus appropriations bill is not as bad as it could have been, and even has some provisions to recommend it.

The legislation provides temporary relief to home health agencies that were hurt as a result of cuts required by the balanced budget agreement. The underlying health policy is not perfect, but that is to be expected in a complex issue, and the gimmicks used to pay for the policy leave much to be desired because what is given to home health care now will be taken away later in reductions. Nevertheless, home health plays an important role in caring

for the elderly and disabled who depend on Medicare for their health care, and these changes will not adversely affect the access and quality of care that beneficiaries receive.

The Congress may still need to address home health prior to the implementation of a prospective payment system that will provide proper incentives for agencies, but for the moment, we have averted a potential crisis for beneficiaries.

I am also pleased that we were able to help women with breast cancer by including a provision from a bill introduced by my colleague, Ms. ESHOO, that requires insurance companies who cover breast cancer to provide coverage for reconstructive surgery.

Another valuable provision makes available additional funding for the Substance Abuse and Mental Health Services Act's (''SAMHSA'') block grant program. My home state of Michigan was slated for a cut of nearly twenty percent in these funds because of a formula change. Under the bill, Michigan will receive a five percent increase.

In the area of trade policy, this legislation contains important monitoring and enforcement requirements designed to ensure that Korea and other recipients of International Monetary Fund (IMF) assistance fully implement their commitments to cease government interference in the private economy. Among other things, these requirements are designed to ensure that the government of Korea does not extend government loans or subsidies to individual corporations, particularly in the auto, steel, semiconductor, and paper industries. In addition, this legislation requires Korea to fulfill all of its IMF commitments ''according to an explicit timetable for completion.'' These requirements are similar to legislation I introduced, H.R. 3573, with Congressman MURTHA and Congressman REGULA.

Despite its claims, Korea has not fully implemented its commitments to the IMF. Our government must exercise strict and aggressive monitoring of how every penny of the IMF assistance is used and what Korea is doing to implement its IMF commitments and to fulfill its trade obligations to the world community. The American taxpayer should not be forced to finance the operation of non-viable, bankrupt Korean auto, steel, and other firms that dump cheap imports in our market and undermine otherwise competitive products made by American workers and American firms.

We need much more than vague Administration statement about being ''encouraged'' by the progress of Korea's economic reform. Korea has institutions and policies that enable the government to intervene in commercial lending and corporate governance. American workers and American firms have a right to know what Korea is doing to restructure those institutions and to change those policies, so that government intervention in the private economy is minimized, and Korean markets are open to U.S. and other foreign competitors.

Despite these worthwhile provisions, this legislation is not without flaws.

The omnibus appropriations bill includes language conferring a substantial and unwarranted financial advantage to the Tennessee Valley Authority (TVA). The language forgives the prepayment penalty TVA would otherwise be obligated to pay to refinance a taxpayer-funded loan from the Federal Financing Bank. This continues the longstanding tradition of allowing TVA to have the best of both worlds.

We have heard much lately from TVA about its effort to ''reinvent'' itself as a more market-oriented, business like entity. It even has petitioned Congress to allow it to sell federally-subsidized electricity on the open market. But TVA has several advantages which the non-federal entities it wants to compete against do not enjoy. The most disturbing of these is forgiveness of the prepayment penalty, totaling a billion dollars otherwise due the taxpayer. According to news reports, TVA plans to use these ''savings'' to help pay down its massive $27 billion debt. This would indeed enable it to better ''compete'' against other utilities, who are relegated to commercial financing and whose stranded costs will not be shed so painlessly.

This unjustified windfall is an insult to the taxpayer, a misuse of federal funds, and a further obstacle to creating anything remotely resembling a level playing field in the electricity industry. It reminds Congress to cast a dubious eye on future claims that all TVA wants is a fair shot at joining a restructured electricity market on an equal footing with other competitors.

It is also, and finally, worth noting what this legislation and this Congress failed to do.

This Congress did not enact the Patients Bill of Rights to protect consumers in managed care plans from the abuses and excesses of certain bad actors in the health insurance industry. The House instead passed a fatuous bill that would make matters worse for Americans by undermining current law.

This Congress did not improve access to health care for the near elderly. The House was denied the opportunity to vote on the ''Medicare Buy-In'' proposal which would have provided access to health insurance for Americans age 55 to 64 who, because of termination or reduction of retiree benefits, cannot get private insurance.

This Congress did not help the disabled make a transition back to work by allowing them easier access to health insurance.

This Congress failed to reauthorize the National Institutes of Health, legislation badly needed to set our research priorities.

This Congress failed to enact comprehensive imported food safety legislation.

This Congress failed to enact tobacco legislation to assure full Food and Drug Administration authority to implement teen smoking cessation and prevention programs. Nor did this Congress provide FDA with the resources it needs to perform its existing, and essential, functions.

These and other tasks will await the 106th Congress in January, and do not reflect credit on the 105th Congress.

Mr. CLAY. Mr. Speaker, I am pleased that, due to President Clinton's strong leadership, this bill includes one of the most critical Democratic initiatives, a plan to hire 100,000 new teachers. This measure, which I introduced in the House in May, will help reduce class sizes in the early grades to 18. It is shameful that the Republican majority spent the whole Congress stonewalling critical education initiatives such as this, despite overwhelming public support.

Their refusal to tackle critical educational priorities is the shame of the Congress. The Republican policy toward education is based on the contemptuous premise that education is not the province of the Federal Government. This deathbed conversion on class size reduction demonstrates that the Republicans will do as little as possible on education, and take action only when forced. Today, Republicans continue their staunch opposition to replace dilapidated and overcrowded school houses with new buildings. Where do they think these 100,000 new teachers are going to teach? The broom closets and hallways have already been converted to classrooms in many schools.

Mr. Speaker, Republicans have failed our school children, failed their parents, failed our public school teachers, and failed their responsibility to give leadership in the area of great national concern. They spent almost the entire Congress undermining the Federal role in education. Their scheme to enact school vouchers would have diverted hundreds of millions of Federal dollars earmarked for public school reform to private and parochial schools. Mr. Speaker, the Republican majority tried to repeal affirmative action programs for disadvantaged youth and tried to destroy bilingual education. They tried to block grant key education programs, with the goal of eliminating Federal funding.

But Mr. Speaker, perhaps the Republicans most sinister, most cynical perversion was the attempt to kill the Head Start Program by loading it down with non-germane killer amendments like Head Start vouchers.

Mr. Speaker, Democrats promised we would fight for new teachers and we won. Next year we will lead this Congress and take action to enact legislation to modernize our decrepit, rundown public schools. Unlike many in the Republican party, we will not shortchange America's school children by turning our backs on the public education.

Mr. BUNNING. Mr. Speaker, I rise in support of the bill. It's not perfect, but most of it is good and it deserves our support.

This bill helps our farmers who in the past year have had to cope with natural disasters, drought and falling markets around the globe. The $6 billion in tax relief and disaster aid in this bill is the least we can do for them and represents a victory for rural America.

One of the best parts of this legislation is the $8 billion it allocates for our national defense. None of us wants to return to the ''Hollow Force'' era of the 1970's when our military was beginning to crumble, and the extra money in the bill before us today will help turn things around. I think that's a victory for the security of all Americans.

There has been a lot of talk about the education provisions in this bill, and the extra spending for teachers. Let's be frank. The $1 billion earmarked in this legislation will only pay for about 30,000 new teachers. But, most importantly, the legislation maintains local control of education. It doesn't mandate national testing, and local school boards get to decide what sort of teachers to hire with this new money—special education teachers, elementary instructors, or whoever will help the children most. That's a victory for the American taxpayer of which we should be proud.

Congress also protected our Constitution on the census issue. The bill funds the Commerce Department and the Census Bureau through next June, giving the Supreme Court a chance to rule on the question of sampling. The Clinton administration has been pushing this untested, unreliable method of counting our citizens, and the bill we are going to pass today puts the brakes on this end-run around

the Constitution until the Supreme Court has had a chance to weigh in. I believe that's a victory for all Americans and our constitutional legacy.

For those concerned about economic conditions around the world, the bill appropriates almost $18 billion in funds for the International Monetary Fund to help stabilize the world economy. Even better, the legislation mandates that the IMF adopt meaningful reforms that will help open the doors to that agency and further unleash the powerful force of the free market. I believe that represents a victory for American businesses and consumers.

Notably, the legislation strengthens law enforcement's hand in the war on drugs. Funding for the Drug Enforcement Administration was increased, Federal sentences for certain hard drugs were toughened, and the legislation will reinvigorate the National Drug Czar's office and established anti-drug programs like the Drug-Free Communities Act, and the Drug-Free Schools Program. That's a victory for American children who are threatened by drug dealers and thugs.

As I said at the beginning, Mr. speaker, this bill isn't perfect. No one—Republicans, Democrats, or the President—got everything they wanted. But, in the end, in the spirit of compromise, I believe our leaders crafted a package that we should support. After 4 years of Republican control of Congress, we understand that we can not pass everything we want because of the President' veto power. Likewise, the President can not get everything he wants because his party is in the minority in Congress. This leads us to where we are today: voting on a bill that is the byproduct of negotiation and legislative give-and-take, a bill that represents not a complete win for any one party as much as it represents a win for the American people.

I urge support for this legislation.

Mr. TOWNS. Mr. Speaker, I rise today in support of the omnibus appropriations bill H.R. 4328. Amongst the many important elements in this legislation, including tremendous civil rights victories for Haitian refugees, black farmers, and gulf war veterans, there are two in particular that I want to highlight. The nationwide poison control centers network and the Work Opportunity Tax Credit Program, have proven their effectiveness and necessity.

Poison control centers provide a unique and valuable resource. They are an integral part of a nationwide public health system to decrease accidental deaths. Four million calls, last year alone, were fielded by the centers, ranging from minor to life threatening. Imagine the potential loss of life if each one of those individuals had been forced to rely solely on accessing the 911 system instead. I remain hopeful that the President's budget for FY 2000 will recognize the shortfall in federal funding for the centers. In the interim, we have the opportunity to immediately support poison control centers by passing this Appropriations bill with the $222 million dollar increase in public health initiatives. I am aware that CDC has a number of public health initiatives it would like to fund with these dollars. I implore them to devote significant resources from the increase to the poison control centers network. I believe that there is nothing more important than decreasing accidental deaths due to poisonings.

Another issue I would like to highlight also deals with the needs of America's families who are trying to get a fresh start. As the second generation of welfare recipients affected by ''welfare reform'' come off the welfare roles it is important that there be employment opportunities. The Work Opportunity Tax Credit program encourages the private sector to partner with the public sector to aid in the welfare to work movement. In just twenty-one months, nearly 450,000 people have been hired through the program, earning a tax credit for their employees. In less than two years almost a half million tax dependents have become tax contributors. This, my colleagues, is a much-welcomed outcome of the program. The tax credit encourages private sector employees to hire welfare recipients and it works.

Unfortunately, the tax credit expired on June 30, of this year. The omnibus bill extends the program for twelve months, and it is now up to Congress to pass this vital legislation. Failure to renew the WOTC program would have a devastating impact on welfare recipients needing to find work. This action would occur just as many welfare recipients are being forced off the welfare rolls as a result of the welfare-reform bill. The WOTC program is a way for at least some of those forced off of public assistance to become employed.

Mr. Speaker, the poison control centers network and the Work Opportunity Tax Credit Program are needed for the well being of America's families. I urge my colleagues on both sides of the aisle to join me in passing this legislation.

Mr. MARTINEZ. Mr. Speaker, there are two provisions in the omnibus appropriations bill which I believe need further clarification. The first issue dealt with an amendment in the House bill to the Individuals with Disabilities Education Act, or IDEA, that would have given school officials expanded authorities to remove children with disabilities from school. I opposed the inclusion of that amendment, because it would have removed critical civil rights protections for children with disabilities.

A little more than a year ago, after years of negotiation, Congress enacted the 1997 amendments to IDEA. These amendments made a number of important changes to the law, including provisions governing the discipline of children with disabilities. The '97 amendments give schools new tools for addressing the behavior of children with disabilities, including more flexible authorities for removing children with disabilities engaged in misconduct involving weapons, drugs, or behavior substantially likely to result in injury. More information is needed on the implementation of these amendments before any additional changes to the law are considered by the Congress.

I therefore support the recommendation of the conferees for a GAO study on the discipline of children with disabilities in lieu of making any changes to the authorizing legislation itself. The conference agreement charges GAO with obtaining information on how the '97 amendments have affected the ability of schools to maintain safe school environments conducive to learning. In order to enable the Congress to differentiate between the need for amendments as opposed to better implementation of the law, it is critical that GAO look at the extent to which school personnel understand the provisions in the IDEA and make use of the options available under the law. In the past, there has been considerable confusion and misunderstanding regarding the options available to school districts in disciplining children with disabilities. In order to determine whether further amendments are needed, GAO should determine whether schools are using the authorities currently available for removing children. These include: removing a child for up to 10 school days per incident; placing the child in an interim alternative educational setting; extending a child's placement in an interim alternative educational setting; suspending and expelling a child for behavior that is not a manifestation of the child's disability; seeking removal of the child through injunctive relief; and proposing a change in the child's placement.

In addition, the law now explicitly requires schools to consider the need for behavioral strategies for children with behavior problems. I continue to believe that the incidence of misconduct by children with disabilities is closely related to how well these children are served, including whether they have appropriate individualized education plans, with behavioral interventions where necessary. Again, to enable the Congress to interpret information on the effect of the IDEA on dealing with misconduct, this GAO report should provide information on the extent to which the schools are appropriately addressing the needs of students engaged in this misconduct. I would be opposed to giving school officials expanded authority for removing children who engage in misconduct, if such misconduct could be ameliorated by giving these children the services to which they are entitled. We need information on the effect of appropriate implementation of the IDEA on the ability of schools to provide for safe and orderly environments, and that is what the GAO study should evaluate.

Finally, I want to emphasize that the provisions in the IDEA for removing children are only needed in those cases in which parents and school officials disagree about a proposed disciplinary action. Therefore, it is important that the GAO study also provides us information on the extent to which parents are requesting due process hearings on discipline-related matters and the outcomes of those hearings.

The second issue dealt with a provision in title VII of this bill, the section authorizing the creation of the Reading Excellence Act. Specifically, I am concerned that this new program may contain a provision placing an unfair burden on local school districts. The Reading Excellence Act requires school districts which are eligible to receive the programs' tutorial assistance grants to notify all eligible tutorial assistance providers and parents about this program, despite the fact that they may not receive program funding.

I hope that the implementation of this provision is accomplished with a modicum of paperwork and that States work to ensure that as little burden as possible falls on the school district. It should be our collective goal to ensure that unnecessary paperwork and burdens on our local schools are reduced so that resources can be focused on students. Clearly, this new provision must be remedied before the program begins and I will work with the chairman and other colleagues when Congress returns to find a workable solution for all concerned parties.

Mr. CONDIT. Mr. Speaker, tonight the House of Representatives is going to pass a $500 billion omnibus spending bill which has been agreed to by the President and congressional leaders. This mammoth bill contains

overdue funding for eight of thirteen annual appropriations bills and an additional $20 billion in emergency supplemental spending.

As with any bill of this magnitude, there are many worthwhile initiatives, programs and changes in policy which considered individually would stand on their own merit. On the other side of the ledge, however, there are programs and initiatives that would certainly fail if they were not considered collectively.

Unfortunately, Members of Congress will not have the opportunity to vote on any of the various initiatives contained in this 3,800 page document. I am very troubled that we have arrived at this point as a result of procrastination.

The great hazard of this was realized last week while negotiations between the administration and congressional leaders circumvented the parliamentary and committee process. The process alone was appalling. The result is even worse. Because of that, I will oppose this bill for several reasons.

Chief among my concerns is treatment of the first surplus this nation has realized since man walked on the moon. This bill squanders nearly one-third of that surplus while breaking faith with the American people.

For nine months we in the Congress—both Democrats and Republicans alike—have insisted that any budget surpluses should be invested in shoring up the Social Security trust fund, a tax cut or some combination of the two. It's unconscionable that as we close the 105th Congress both sides have largely abandoned those principles.

We didn't keep our word to the American people. We violated their trust. It's as simple as that.

We're raiding $20 billion from the Social Security trust fund for spending which for the most part doesn't constitute genuine emergencies. Instead of sticking to solid fiscal policy, we are using gimmickry to get around spending caps because we couldn't figure out a way to fund projects and programs without appropriate offsets.

We are voting to bail out the International Monetary Fund. It's no secret that the IMF doesn't work. Yet here we are ready to spend $18 billion with no guarantee that we will fix the problems that has landed the IMF where it is in the first place. If we are sincere about fixing the IMF we must put corrective actions into place first. Hollow promises mean nothing once the check is cashed, Mr. Speaker.

In my district in California's Central Valley we are telling agricultural workers that they don't deserve H1B visa waivers while just across the foothills in the Silicon Valley high tech workers do? That's a terrible double standard.

While I applaud providing funding to hire 100,000 new teachers in America, this bill doesn't have enough money to build the class rooms for these new teachers. It just doesn't make sense and neither does this bill.

Mr. Speaker, this bill doesn't deserve to pass this House. Yet because we are pushed up against a wall we're willing to sell out the American people. I urge my colleagues to defeat this omnibus spending bill.

Mr. KLINK. Mr. Speaker, while I applaud what this budget bill does for education and the environment. I am appalled at what the appropriators have done to destroy the organ transplant allocation policy.

This is a matter of life and death, and as one who believes in the sanctity of life I cannot believe that the appropriators would knowingly kill an effort that would save people's lives.

What I am talking about is that deep within this bill is a legislative rider that will sentence people to a death that could be avoided.

I am talking about the rider that would stop the Department of Health and Human Services from implementing their regulation to make our organ allocation system more fair so more people can live.

The current organ allocation system is patently unfair because it gives higher priority to geography over the health of the patient. To illustrate this, let me point out the attached article from the New Orleans Times-Picayune about Jordan Rosebar, a little girl from Washington, DC. A little girl who died needlessly waiting for a liver and an intestine at the University of Pittsburgh Medical Center (UPMC).

Jordan was only on the UPMC list because UPMC is one of the only centers in the country capable of doing the procedure she needed. What is especially sad about her story is that even though she was by far the sickest patient in the Eastern half of the United States, instead of going to her, the organs she needed went to a healthier patient on a list in Atlanta.

When that set of organs became available in New Orleans, they should have been offered to the person in the greatest need. They could have easily been sent to Pittsburgh. But, instead of saving Jordan, they went to a healthier patient in Atlanta because our antiquated system favors geography over medical need.

This is wrong. Both children could be alive today if we weren't so rigidly tied to the geographical boundaries established long ago and used some common sense. We can and should do better.

Regrettably, there has been more misinformation than good information about what this regulation actually says. Let me explain how we got to this distressing situation and why this rider is such a travesty.

In 1984 Congress gave responsibility for the organ allocation system to the Department of Health and Human Services. Originally developed when there were only sixteen transplant centers, the story of Jordan Rosebar demonstrates how unfair this system has become and how badly these organ allocation policies need to be updated.

The liver is one of the most difficult organs to transplant. Pioneered at the University of Pittsburgh, upwards of 90% of all the liver transplant surgeons today were either trained at Pittsburgh or by doctors who trained there. Yet facilities like Pittsburgh, Mt. Sinai, Cedars-Sinai, and Stanford and other highly regarded transplant centers which take on the most difficult and riskiest transplant patients, are struggling with the longest waiting times in the country.

The real travesty is that, as with Jordan, many of the patients waiting for organs at the larger centers go there, not because of their reputations, but because it is their last resort. There is strong evidence to suggest that many smaller transplant centers avoid the riskier transplants and the sicker patients because they are more difficult and would adversely impact their reputations should they not be successful. The fact is that many patients, like Jordan, only end up at centers like the University of Pittsburgh after having been turned down by their local center.

Currently there are patients from at least 31 states awaiting organs at the University of Pittsburgh, all of whom are dependent on an organ becoming available in Western Pennsylvania or West Virginia. Is it any wonder that our waiting lists are longer than almost anywhere else in the country. Obviously, this is not an issue that impacts people in one particular geographical region, but it affects everyone who is waiting for an organ no matter with state or congressional district they come from.

The fact is that the current system discriminates against people who live near the highly regarded centers with the longer waiting lists. It's not their fault that their local center is one of the few that will take the harder and sicker patients when other centers avoid the harder patients in favor of patients who may be still able to work, go to school, or even play golf.

This isn't right. Whether you live or die should not depend on where you live. Organs do not and should not belong to any geographical or political entity. But, under the current system, depending on where the organ was harvested, it could be given to someone with years to live—while someone, like Jordan, in the next across the wrong border dies waiting for a transplant.

No, this debate is not about pitting big transplant centers against small ones, or about pitting one region against another. It is about making sure that the gift of life goes to the person who needs it the most rather than someone who happens to have the good fortune to live in the right city, or be on the right list. This is about helping at least 300 people each year to continue to live.

All HHS wants to do is: (1) require UNOS to develop policies that would standardize its criteria for listing patients and for determining their medical status, and (2) ensure that medical urgency, not geography, is the main determinant for allocating organs. Sadly, the organization that is under contract with HHS to run the national organ procurement transplant network, the United Network for Organ Sharing (UNOS), is the biggest opponent of any change and is spending upwards of $1 million of patient fees to lobby against HHS making the system more fair.

Mr. Speaker, now is the time for us to set our parochial interests aside and let HHS implement the changes we know we can save lives. The longer we delay the more lives are at risk. In this day of modern air travel and communications there is no good reason for an organ to stop at the border. There is no good reason why if I pass away while attending the Superbowl in New Orleans that my liver should go to a golfer in Louisiana when I may have a loved one who is in desperate need of a transplant at home.

People are dying because they happen to live in the wrong zip code and because states do not want to share their organs. Nowhere else in society would we allow a monopoly like this to continue. We must put an end to this craziness. There is no room in this country for politics to affect who lives and who dies. The patients who need the organs the most should get them. Period.

[From the Times-Picayune, Oct. 11, 1998]

LA. FAVORS GEOGRAPHIC SYSTEM

(By Bill Walsh)

As Jordan Elizabeth Rosebar lay in a hospital bed in Pittsburgh, her insides collapsing, the organs that could save her life were

ready and waiting in a New Orleans area hospital.

It was a stroke of luck that the liver and small intestine the 18-month-old girl needed were available at all, given that the donor had to be a biological match and, like her, a small child. Incredibly, two other child donors would be found in other parts of the country that day in early June, offering hope far beyond what Jordan's family and doctors had dared imagine.

But Jordan never got the organs she so desperately needed. She died waiting for the transplant when chemicals, machines and prayers could no longer sustain her.

Louisiana doctors sent the organs to Atlanta under the current rules that give regional preference to who get organs. Later, a flicker of hope from doctors in Alabama faded when the set of the organs they had were given to someone else. In a final, frantic race to a nearby Pennsylvania hospital, a transplant team returned to the operating room too late.

The final day of Jordan's life demonstrates the complexities of a national organ disbursement procedure that is guided first by geography and second by the critical needs of the patient. It unmasks the cruel difficulties inherent in trying to apply objective standards to decisions about who lives and who dies. It also reveals a distrust among transplant surgeons in different parts of the country who have found themselves pitted against one another as they vie for a limited supply of organs.

There is no escaping the fact that the shortage of donated organs has forced medical officials to make painful life-and-death decisions within a somewhat awkward system. The emotional debate over how that system should operate recently came to a head as the Clinton administration prepared to issue rules this month that many believe will lead to a nationwide policy that provides organs to the ''sickest first'' and minimizes geographic considerations.

* * * The state wants to keep locally donated organs close to home, arguing that because its residents donate more generously than those in other states, they also deserve to reap the benefits. A lawsuit filed by the state to block the rules will be heard Wednesday in Baton Rouge by a federal court judge. The court has ordered the new rules put on hold pending the outcome of the hearing.

Also at stake in the battle is money. Large regional transplant centers such as the one on Pittsburgh have seen their business plummet in recent years as smaller hospitals have gotten into the transplant game. The larger centers are pushing the new national guidelines, while the smaller centers are fighting to retain the business they've gotten under the current rules.

With millions of dollars in profits at stake, the issue is about more than life and death, and the case of Jordan Rosebar reveals the complex medical, ethical and political contours of the coming debate.

A losing battle.

From the start of her young life, it was apparent that Jordan could not live with the organs she started life with. She was born in Maryland three months premature and was ''so small she could fit in the palm of my hand,'' said her father, Marcus Rosebar.

She also was born without a usable intestine, and doctors had little choice but to remove most of it. She spent the first six months of her life in Children's Hospital in Washington, D.C., sustained with nutrients and medication pumped through her body. Unfortunately, the same treatment that kept her alive wreaked havoc on her liver. Over time, it began to deteriorate.

''We knew right at the beginning,'' Rosebar said. ''The doctors told us that eventually she would need a transplant to live a normal life.''

Rosebar knows better than most that ''normal'' is often relative when it comes to organ transplants. As a kidney transplant patient himself, the 72-year-old Washington native receives dialysis treatments twice a week. He knew that his daughter, the only child he has had with his high school sweetheart, Devona Watkins, would forever be in need of intense medical attention.

But for now, they were eager just to have her home, away from the sterile hospital environment. In May 1997, they got their wish. Jordan was sent home fitted with a special portable unit to pump fluids through her body 20 hours a day. She was fed with a tube fixed to her nose. It was cumbersome for the infant, but she didn't seem to mind.

''She was happy. That's all she ever knew,'' Rosebar said recently from the living room of his northwest Washington home, where the end tables are crowded with framed portraits of his daughter.

''She could sure brighten up your world,'' he said.

A sad situation.

* * * Doctors at Children's Hospital suggested the couple seek treatment for their daughter at the University of Pittsburgh Medical Center, one of the few transplant centers that performed the liver-small intestine operation.

In January, Jordan was entered on a national computer database as a patient at the University of Pittsburgh.

That meant that whenever a suitable organ became available in the six-state region around Pennsylvania, Jordan could get it unless there were sicker children on the list ahead of her. That's the cornerstone of the organ disbursement system: Organs are first offered within the region in which they are donated and then nationally if there are no takers.

For months, nothing happened.

Then on May 31, Jordan's parents got a call that organs were available. Jordan and her mother flew to Pittsburgh and Jordan's father took a bus to stand vigil with his family.

The operation went well, but there was a problem with the organs. They had been damaged and weren't working correctly. Jordan was in a perilous condition.

Out of desperation, her surgeon, Dr. Kareem Abu-Elmagd, called a former colleague at the University of Miami. The Pittsburgh hospital had recently helped surgeons in Miami find a set of organs for a 13-year-old boy and Abu-Elmagd asked if they would return the favor: Would they list Jordan as a transplant candidate at their hospital?

The tactic, known as ''double listing,'' increases a patient's chances of getting an organ. Double-listing is frowned upon by some in the transplant community as underhanded, but it's not forbidden. The United Network for Organ Sharing, the organization that administers national organ policy, reports that more than 3,000 patients are listed at two hospitals. Some are listed at three.

''It's kind of a courtesy,'' Abu-Elmagd said. ''We did it for them the day before.''

Abu-Elmagd requested that Jordan be listed at Miami as ''Status 1,'' the most dire condition, reserved for patients who will die within seven days without a transplant. The designation puts them near the head of the line for new organs.

Once again, Jordan seemed blessed with good fortune. Within hours, doctors in Miami got word that a liver and small intestine were available at West Jefferson Medical Center in Marrero.

Under Louisiana law, organs donated in-state must first be offered to local residents. In this case, no one in Louisiana needed them, so a search went out for the neediest children in the six-state southeastern region stretching from Louisiana to Florida. The University of Miami transplant center was at the top of the list.

What happened next is in dispute. While it is clear that the Louisiana Organ Procurement Agency refused to release the organs to Pittsburgh doctors, the reasons for the refusal differ.

Doctors in Pittsburgh say they were turned down because of the rivalry between the two states over organ transplantation policy. The University of Pittsburgh Medical Center, one of the largest transplant hospitals in the country, has led the charge for a ''sickest first'' national standard.

''Just because it was Pittsburgh, all of a sudden there was a problem,'' said Abu-Elmagd.

Louisiana officials disagree. They say that Jordan was not listed as a patient in Miami at the time the organs became available in Louisiana, meaning they would have to violate their policies in order to send the organs to Pittsburgh.

In fact, the most serious patient in Miami was a youngster listed as a ''Status 2,'' serious, but not at the most critical level. Under the national guidelines, that patient was entitled to first crack at the organs. But as if to underscore the capriciousness of the process of deciding who gets what, Miami didn't have enough available surgeons to perform the operation, so they passed.

The liver specialist in Miami who took the call from Louisiana said she had entered Jordan's name on the computer database that same day, June 3. Perhaps the Louisiana list wasn't current, she said. Would they ''rerun the list,'' she asked, by downloading the most current version to the state's computer? That way, Jordan's case would show up.

''It just had to do with timing,'' said Lesli Kravetz, the Miami official.

But according to Louisiana officials, the issue wasn't timing, it was fairness. That's because Louisiana's policy is to download the list each time organs become available. That way, state officials say, the organs are matched to the person most needy at the instant the organs became available. Any other system, they contend, promotes favoritism and allows for manipulation of the system, for example, by allowing patients not on the list to be placed on it once they learn organs are available. For example, it isn't even clear that at the time Jordan's doctors were desperately seeking organs for her, she was the only Status 1 patient in the country. Other regions may have had Status 1 patients, but they would not have been alerted to Louisiana's organs unless they had double-listed their patients in Louisiana's region, as Jordan's doctors had done.

After 90 minutes, Louisiana officials called Miami and said no, they would not violate their policy by rerunning the list.

''There were no Status 1 patients (when we ran the list),'' said Louise Jacobbi, the director of the Louisiana Organ Procurement Agency. ''They wanted us to break policy and put the kid on (the list). That's gaming the system.''

Jacobbi said the patient database, which ranks patients according to the seriousness of their condition, is the only objective guidepost organ centers have in making life-or-death decisions.

''What I was doing was playing by the rules they agreed to play by,'' Jacobbi said.

Bob Spieldenner, a spokesman for the United Network for Organ Sharing, said there are no rules about rerunning patient lists. He said each state organ procurement organization, or OPO, sets its own standard.

''It's up to them,'' he said, ''Some OPOs will do it, some won't. New Orleans is pretty rigid in what they do.''

Dr. Gazi Zibari, the medical director of the Louisiana organ agency, said he had other concerns about releasing the organs to Pittsburgh. He said he doesn't always trust his fellow transplant surgeons when they say their patients are Status 1.

Zibari said that doctors will sometimes exaggerate the seriousness of the condition to get an organ faster. By the time it's checked, he said, a patient may already have gotten the transplant.

''It is well recognized that there is no system in place to monitor whether these patients are Status 1,'' Zibari said. ''There is mistrust in the transplant community, which is very sad.''

Pittsburgh doctors angry.

The decision by the Louisiana organ agency angered the doctors in Pittsburgh who saw Jordan's life slipping away. In an afternoon phone call with Zibari, Abu-Elmagd lost his patience.

''I said she will die in 24 hours,'' Abu-Elmagd recalled telling him. ''I said if you think we are stealing the organs, that is not the case.''

When Miami declined the organs because they didn't have enough surgeons available to complete the transplant needed there, the organs went to the next patient on the list, at Emory University Hospital in Atlanta. Zibari suggested Pittsburgh call the Atlanta hospital and see if they would give them up.

The child in Atlanta who got the liver was listed as a Status 3 patient, but Jacobbi said doctors told her the youngster was getting worse.

''They said their child was extremely sick as well. Those kids can change in a matter of hours or minutes,'' she said.

Abu-Elmagd chose not to call Atlanta. By then, another liver and small intestine set became available, this one in Alabama. However, this time, the organs were already committed to another child. The Miami hospital was only being notified if it was needed as a backup. Ultimately, it wasn't. The other child got the organs and Jordan's doctors started over.

Chuck Patrick, doctor of the Alabama Organ Center, declined to discuss the case, so it's unclear if the child who got the transplant was in better condition than Jordan.

''I'm not going to get my organization in the middle of this war over where organs go,'' Patrick said.

The up-and-down ride wasn't over yet. Within hours, Pittsburgh got a call that suitable organs were available at a hospital in western Pennsylvania.

Abu-Elmagd hopped in a van and led a team to harvest the organs. Meanwhile, Jordan was getting worse. Her heart seized up and her blood pressure dropped. She was taken back to the emergency room, and doctors kept her alive with fluids and medication.

For a brief time, Jordan seemed to improve, but then she suffered multiple cardiac arrests. Her body was never that strong to begin with and all the stress was simply too much for her to take.

Jordan died early in the morning of June 4. Abu-Elmagd was about an hour away from the Pittsburgh hospital with the organs on ice when he got the word.

''It came down to a matter of hours,'' he said. ''If I could have gotten the organs a couple of hours earlier, she could have survived.''

Rosebar said he didn't know all this was happening while he and Jordan's mother waited in the Pittsburgh hospital for word on their daughter's condition.

To him, state and regional boundaries are meaningless when it comes to deciding who should have first claim to a life-saving organ.

''I would have gone to Russia if I had to, to save her life,'' he said. ''I would have done anything.''

Mr. FAWELL. Mr. Speaker, the Omnibus Appropriations Act, H.R. 4328, includes under the Labor/HHS portion of the legislation a title IX which may be cited as the Women's Health and Cancer Rights Act of 1998.

In general this act amends both ERISA and the Public Health Services Act (within the scope of coverage of such Acts as established in HIPAA) to require group health plans and health insurance issuers that cover medical and surgical benefits for mastectomy to also include in their scope of coverage: (1) all stages of reconstruction of the breast on which the mastectomy has been performed, (2) surgery and reconstruction of the other breast to produce a symmetrical appearance; and (3) prostheses and physical complications of mastectomy, including lymphedemas, in a manner determined under the terms of the plan or heatlh insurance coverage in consultation with the attending physician and the patient.

The described coverage may be subject to annual deductibles and coinsurance as deemed appropriate and consistent with those established for other benefits under the plan or health insurance coverage under which an individual is enrolled.

Because the act is generally effective with respect to plan years beginning on or after the date of enactment, it is expected that the departments administering the act will follow procedures under which no enforcement action wil be taken with respect to a violation of a requirement imposed by the act on a plan or health insurance issuer before the date of issuance of final regulations, if the plan or issuer has sought to comply with the act in good faith.

The provision under new ERISA section 713(e)(2) which states that ''Nothing in this section shall be construed to affect or modify the provisions of section 514 with respect to group health plans'' is redundant and has the same effect as the identical provisions under current law, that is ERISA section 731(a)(2) and PHS sections 2723(a)(2) and 2762(b)(1).

It is also expected that the agencies involved in issuing regulations under the act will follow the same procedures applicable under HIPAA as found in section 104 of that act.

Mr. CHRISTENSEN. Mr. Speaker, In the 1998 Omnibus Appropriations bill I am pleased to acknowledge inclusion of the Internet Tax Moratorium Act. In the act Congress makes clear that a limited moratorium, accompanied by a careful review of all Internet and electronic commerce tax issues, will give Congress the opportunity to evaluate proper state and local government interstate taxation, Federal taxation and trade treatment of the Internet and electronic commerce. In so acting we will clarify that this Congress has not ratified or authorized any federal taxes on Internet Domain name registrations. We are aware that U.S. Federal Court in the Thomas et al. versus National Science Foundation et al case has declared that Sec. 8003–Ratification of Internet Fees—of the Emergency Supplemental Appropriations Act of FY 98 ratified what has been previously found to be a unconstitutional tax on Internet domain name registrations. Section 8003 was never intended to ratify a tax on the Internet and, indeed, addresses only a fee for the Intellectual Infrastructure Fund. To the extent that fee constitutes an unconstitutional tax, it was not ratified by Section 8003. I am pleased that this Congress has voted to approve the Internet Tax Moratorium Act and to affirm that this Congress has never ratified an unconstitutional tax on the Internet.

Mr. HYDE. Mr. Speaker, the issues surrounding implementation of the Communications Assistance for Law Enforcement Act of 1994 (CALEA), now nearly four years after enactment, have been especially vexing to law enforcement, the telecommunications industry, privacy groups, and to us, in Congress. Following passage of H.R. 3303, the DOJ authorization bill, in June, pressure was brought to bear on the Federal Communications Commission to extend the October 25, 1998 compliance date, mandated by CALEA, to at least June 30, 2000. Although, I am pleased that this date was extended, I am disappointed that the ''grandfather date'' for equipment cost reimbursements (January 1, 1995) will not be amended into law this year. H.R. 3303, as passed by the House, would have changed the ''grandfather date'' to October 1, 2000.

I am encouraged, though, that the conferees on the omnibus appropriations bill have included report language expressing the sincere view that the DOJ, industry and Congress should develop joint recommendations to accelerate the implementation of CALEA as soon as possible at the least cost to taxpayers and consumers and to ensure that law enforcement receives the capabilities it needs to protect our society. I would further suggest that the statutory January 1, 1995 ''grandfather date'' should be altered to be consistent with the revised compliance date as decided by the FCC in September of this year.

Mr. Speaker, I look forward to working with my House and Senate colleagues on the Judiciary and Appropriations Committees in the 106th Congress in order to make this vision a reality.

Mr. GILMAN. Mr. Speaker, I rise for the purpose of apprising the House and the public concerning the legislative history of Division G of H.R. 4328, the Omnibus Appropriations Act now under consideration.

Division G consists—with but minor changes—of Divisions A and B of the Conference Report on H.R. 1757 of the 105th Congress, House Report 105–432, as it passed the House on March 26, 1998 and the Senate on April 28, 1998.

Accordingly, as chairman of the Committee on International Relations, with jurisdiction over H.R. 1757, I can state that for the purposes of legislative history, the legislative history of Division G is the legislative history of H.R. 1757.

I am submitting, for the purposes of aiding in the interpretation of Division G, a table indicating the correspondence between provisions of Divisions A and B of the Conference Report on H.R. 1757 and the counterpart provisions of Division G of the bill under consideration.

Division G	H.R. 1757 Conference Report
1001	Sec. 1. Short title.
1002	Sec. 2. Organization of Act into divisions; table of contents.
	SUBDIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES
	TITLE I—GENERAL PROVISIONS
1101	Sec. 101. Short title.
1102	Sec. 102. Purposes.
1103	Sec. 103. Definitions.

Division G	H.R. 1757 Conference Report
1104	Sec. 104. Report on budgetary cost savings resulting from reorganization.
	TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY
	CHAPTER 1—GENERAL PROVISIONS
1201	Sec. 201. Effective date.
	CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS
1211	Sec. 211. Abolition of United States Arms Control and Disarmament Agency.
1212	Sec. 212. Transfer of functions to Secretary of State.
1213	Sec. 213. Under Secretary for Arms Control and International Security.
	CHAPTER 3—CONFORMING AMENDMENTS
1221	Sec. 221. References.
1222	Sec. 222. Repeals.
1223	Sec. 223. Amendments to the Arms Control and Disarmament Act.
1224	Sec. 224. Compensation of officers.
1225	Sec. 225. Additional conforming amendments.
	TITLE III—UNITED STATES INFORMATION AGENCY
	CHAPTER 1—GENERAL PROVISIONS
1301	Sec. 301. Effective date.
	CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS
1311	Sec. 311. Abolition of United States Information Agency.
1312	Sec. 312. Transfer of functions.
1313	Sec. 313. Under Secretary of State for Public Diplomacy.
1314	Sec. 314. Abolition of Office of Inspector General of United States Information Agency and transfer of functions.
	CHAPTER 3—INTERNATIONAL BROADCASTING
1321	Sec. 321. Congressional findings and declaration of purpose.
1322	Sec. 322. Continued existence of Broadcasting Board of Governors.
1323	Sec. 323. Conforming amendments to the United States International Broadcasting Act of 1994.
1324	Sec. 324. Amendments to the Radio Broadcasting to Cuba Act.
1325	Sec. 325. Amendments to the Television Broadcasting to Cuba Act.
1326	Sec. 326. Transfer of broadcasting related funds, property, and personnel.
1327	Sec. 327. Savings provisions.
1328	Sec. 328. Report on the privatization of RFE/RL, Incorporated.
	CHAPTER 4—CONFORMING AMENDMENTS
1331	Sec. 331. References.
1332	Sec. 332. Amendments to title 5, United States Code.
1333	Sec. 333. Application of certain laws.
1334	Sec. 334. Abolition of United States Advisory Commission on Public Diplomacy.
1335	Sec. 335. Conforming amendments.
1336	Sec. 336. Repeals.
	TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY
	CHAPTER 1—GENERAL PROVISIONS
1401	Sec. 401. Effective date.
	CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS
1411	Sec. 411. Abolition of United States International Development Cooperation Agency.
1412	Sec. 412. Transfer of functions and authorities.
1413	Sec. 413. Status of AID.
	CHAPTER 3—CONFORMING AMENDMENTS
1421	Sec. 421. References.
1422	Sec. 422. Conforming amendments.
	TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT
	CHAPTER 1—GENERAL PROVISIONS
1501	Sec. 501. Effective date.
	CHAPTER 2—REORGANIZATION AND TRANSFER OF FUNCTIONS
1511	Sec. 511. Reorganization of Agency for International Development.
	CHAPTER 3—AUTHORITIES OF THE SECRETARY OF STATE
1521	Sec. 521. Definition of United States assistance.
1522	Sec. 522. Administrator of AID reporting to the Secretary of State.
1523	Sec. 523. Assistance programs coordination and oversight.
	TITLE VI—TRANSITION
	CHAPTER 1—REORGANIZATION PLAN
1601	Sec. 601. Reorganization plan and report.
	CHAPTER 2—REORGANIZATION AUTHORITY
1611	Sec. 611. Reorganization authority.
1612	Sec. 612. Transfer and allocation of appropriations.
1613	Sec. 613. Transfer, appointment, and assignment of personnel.
1614	Sec. 614. Incidental transfers.
1615	Sec. 615. Savings provisions.
1616	Sec. 616. Authority of Secretary of State to facilitate transition.
1617	Sec. 617. Final report.
	DIVISION B—FOREIGN RELATIONS AUTHORIZATION
	TITLE X—GENERAL PROVISIONS
2001	Sec. 1001. Short title.
2002	Sec. 1002. Definition of appropriate congressional committees.
	TITLE XI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE
2101	Sec. 1101. Administration of foreign affairs.
2102	Sec. 1102. International commissions.
2103	Sec. 1103. Grants to The Asia Foundation.
2104	Sec. 1104. Voluntary contributions to international organizations.
2105	Sec. 1105. Voluntary contributions to peacekeeping operations.
2106	Sec. 1106. Limitation on United States voluntary contributions to United Nations Development Program.
2107	Sec. 1107. United Nations Population Fund.
	TITLE XII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES
	CHAPTER 1—AUTHORITIES AND ACTIVITIES
2201	Sec. 1201. Reimbursement of Department of State for assistance to overseas educational facilities.
2202	Sec. 1202. Revision of Department of State rewards program.
2203	Sec. 1203. Retention of additional defense trade controls registration fees.
2204	Sec. 1204. Fees for commercial services.
2205	Sec. 1205. Pilot program for foreign affairs reimbursement.
2206	Sec. 1206. Fee for use of diplomatic reception rooms.
2207	Sec. 1207. Budget presentation documents.
2208	Sec. 1208. Office of the Inspector General.
2209	Sec. 1209. Capital Investment Fund.
2210	Sec. 1210. Contracting for local guards services overseas.
2211	Sec. 1211. Authority of the Foreign Claims Settlement Commission.
2212	Sec. 1212. Expenses relating to certain international claims and proceedings.
2213	Sec. 1213. Grants to remedy international abductions of children.
2214	Sec. 1214. Counterdrug and anticrime activities of the Department of State.
2215	Sec. 1215. Annual report on overseas surplus properties.
2216	Sec. 1216. Human rights reports.
2217	Sec. 1217. Reports and policy concerning diplomatic immunity.
2218	Sec. 1218. Reaffirming United States international telecommunications policy.
2219	Sec. 1219. Reduction of reporting.
	CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE
2221	Sec. 1221. Use of certain passport processing fees for enhanced passport services.
2222	Sec. 1223. Consular officers.
2223	Sec. 1224. Repeal of outdated consular receipt requirements.
2224	Sec. 1225. Elimination of duplicate Federal Register publication for travel advisories.
2225	Sec. 1226. Denial of visas to confiscators of American property.
2226	Sec. 1227. Inadmissibility of any alien supporting an international child abductor.
	CHAPTER 3—REFUGEES AND MIGRATION
	SUBCHAPTER A—AUTHORIZATION OF APPROPRIATIONS
2231	Sec. 1231. Migration and refugee assistance.
	SUBCHAPTER B—AUTHORITIES
2241	Sec. 1241. United States policy regarding the involuntary return of refugees.
2242	Sec. 1242. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
2243	Sec. 1243. Reprogramming of migration and refugee assistance funds.
2244	Sec. 1244. Eligibility for refugee status.
2245	Sec. 1245. Reports to Congress concerning Cuban emigration policies.
	TITLE XIII—ORGANIZATION OF THE DEPARTMENT OF STATE; DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE
	CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE
2301	Sec. 1301. Coordinator for Counterterrorism.
2302	Sec. 1302. Elimination of Deputy Assistant Secretary of State for Burdensharing.
2303	Sec. 1303. Personnel management.
2304	Sec. 1304. Diplomatic security.
2305	Sec. 1305. Number of senior official positions authorized for the Department of State.
2306	Sec. 1306. Nomination of Under Secretaries and Assistant Secretaries of State.
	CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE
2311	Sec. 1311. Foreign Service reform.
2312	Sec. 1312. Retirement benefits for involuntary separation.
2313	Sec. 1313. Authority of Secretary to separate convicted felons from the Foreign Service.
2314	Sec. 1314. Career counseling.
2315	Sec. 1315. Limitations on management assignments.
2316	Sec. 1316. Availability pay for certain criminal investigators within the Diplomatic Security Service.
2317	Sec. 1317. Nonovertime differential pay.
2318	Sec. 1318. Report concerning minorities and the Foreign Service.
	TITLE XIV—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS
	CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS
2401	Sec. 1401. International information activities and educational and cultural exchange programs.
	CHAPTER 2—AUTHORITIES AND ACTIVITIES
2411	Sec. 1411. Retention of interest.
2412	Sec. 1412. Use of selected program fees.
2413	Sec. 1413. Muskie Fellowship Program.
2414	Sec. 1414. Working Group on United States Government-Sponsored International Exchanges and Training.
2415	Sec. 1415. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
2416	Sec. 1417. Surrogate broadcasting study.
2417	Sec. 1418. Radio broadcasting to Iran in the Farsi language.
2418	Sec. 1419. Authority to administer summer travel and work programs.
2419	Sec. 1420. Permanent administrative authorities regarding appropriations.
2420	Sec. 1421. Voice of America broadcasts.
	TITLE XV—INTERNATIONAL ORGANIZATIONS OTHER THAN UNITED NATIONS
2501	Sec. 1501. International conferences and contingencies.
2502	Sec. 1502. Restriction relating to United States accession to any new international criminal tribunal.
2503	Sec. 1503. United States membership in the Bureau of the Interparliamentary Union.
2504	Sec. 1504. Service in international organizations.
2505	Sec. 1505. Reports regarding foreign travel.
	TITLE XVI—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY
2601	Sec. 1601. Authorization of appropriations.
2602	Sec. 1602. Statutory construction.
	TITLE XVII—EUROPEAN SECURITY ACT OF 1998
2701	Sec. 1701. Short title.
2702	Sec. 1702. Statement of policy.
2703	Sec. 1703. Authorities relating to NATO enlargement.
2704	Sec. 1704. Sense of Congress with respect to the Treaty on Conventional Armed Forces in Europe.
2705	Sec. 1705. Restrictions and requirements relating to ballistic missile defense.
	TITLE XVIII—OTHER FOREIGN POLICY PROVISIONS
2801	Sec. 1801. Reports on claims by United States firms against the Government of Saudi Arabia.
2802	Sec. 1802. Reports on determinations under title IV of the Libertad Act.
2803	Sec. 1803. Report on compliance with the Hague Convention on International Child Abduction.
2804	Sec. 1804. Sense of Congress relating to recognition of Ecumenical Patriarchate by the Government of Turkey
2805	Sec. 1805. Report on relations with Vietnam.
2806	Sec. 1806. Reports and policy concerning human rights violations in Laos.
2807	Sec. 1807. Report on an alliance against narcotics trafficking in the Western Hemisphere.
2808	Sec. 1808. Congressional statement regarding the accession of Taiwan to the World Trade Organization.
2809	Sec. 1809. Programs or projects of the International Atomic Energy Agency in Cuba.
2810	Sec. 1810. Limitation on assistance to countries aiding Cuba nuclear development.
2811	Sec. 1811. International Fund for Ireland.
2812	Sec. 1813. Support for democratic opposition in Iraq.
2813	Sec. 1814. Development of democracy in the Republic of Serbia

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 333, nays 95, not voting 7, as follows:

[Roll No. 538]

YEAS—333

Abercrombie	Borski	Coyne
Ackerman	Boswell	Cramer
Aderholt	Boucher	Crapo
Allen	Brady (PA)	Cubin
Andrews	Brown (CA)	Cummings
Archer	Brown (FL)	Cunningham
Armey	Brown (OH)	Danner
Baesler	Bryant	Davis (FL)
Baker	Bunning	Davis (IL)
Baldacci	Burton	Davis (VA)
Barcia	Buyer	Delahunt
Barrett (NE)	Callahan	DeLauro
Bass	Calvert	DeLay
Bateman	Camp	Deutsch
Becerra	Canady	Diaz-Balart
Bentsen	Cannon	Dickey
Bereuter	Capps	Dicks
Berman	Carson	Dingell
Berry	Chambliss	Dixon
Bilirakis	Chenoweth	Dooley
Bishop	Clay	Doolittle
Blagojevich	Clayton	Doyle
Bliley	Clement	Dreier
Blunt	Clyburn	Dunn
Boehlert	Combest	Edwards
Boehner	Conyers	Ehrlich
Bonilla	Cook	Emerson
Bonior	Cooksey	Engel
Bono	Cox	English

Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kingston
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (OR)
Smith (TX)
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stenholm
Stokes
Strickland
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—95

Bachus
Ballenger
Barr
Barrett (WI)
Bartlett
Barton
Bilbray
Blumenauer
Boyd
Brady (TX)
Burr
Campbell
Cardin
Castle
Chabot
Christensen
Coble
Coburn
Collins
Condit
Costello
Crane
Deal
DeFazio
DeGette
Doggett
Duncan
Ehlers
Ensign
Filner
Frelinghuysen
Goode
Graham
Hefley
Hoekstra
Holden
Hostettler
Hyde
Inglis
Istook
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kind (WI)
King (NY)
Kleczka
Klink
Klug
LaHood
Largent
Lee
Luther
Manzullo
McDermott
McIntosh
Mica
Miller (CA)
Miller (FL)
Minge
Neumann
Pappas
Paul
Peterson (MN)
Petri
Portman
Riggs
Rivers
Rohrabacher
Roukema
Royce
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Shays
Skaggs
Smith (MI)
Smith (NJ)
Smith, Adam
Smith, Linda
Stearns
Stump
Stupak
Taylor (MS)
Thurman
Upton
Wamp
Weldon (FL)
Weldon (PA)
White
Wolf
Yates

NOT VOTING—7

Fazio
Hansen
Meehan
Mollohan
Poshard
Pryce (OH)
Stark

□ 1945

Mr. BRADY of Texas changed his vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. PRYCE of Ohio. Mr. Speaker, on October 20, 1998, I was absent due to an illness in my family. I received an official leave of absence from the Majority Leader in this regard.

However, had I been present, I would have voted in the following manner on the following legislation:

H. Res. 605—waiving points of order against the conference report to accompany the bill H.R. 4328 making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes (Roll Call No: 536): AYE.

H. Res. 604—providing for consideration of the bill (S. 1132) to modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a federal land management agency, to authorize purchase or donation of those lands, and for other purposes, and for consideration of the bill (S. 2133) an act to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance (Roll Call No. 537): AYE.

H.R. 4328—making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes (Roll Call No. 538): AYE.

PROVIDING FOR ADJOURNMENT SINE DIE OF THE CONGRESS ON WEDNESDAY, OCTOBER 21, 1998, OR THURSDAY, OCTOBER 22, 1998

Mr. SOLOMON. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 353) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 353

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, October 21, 1998, or Thursday, October 22, 1998, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, or until a time designated pursuant to section 3 of this resolution; and that when the Senate adjourns on Wednesday, October 21, 1998, or Thursday, October 22, 1998, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Sec. 3. During any adjournment of the House pursuant to this concurrent resolution, the Speaker, acting after consultation with the Minority Leader, may notify the Members of the House to reassemble whenever, in his opinion, the public interest shall warrant it. After reassembling pursuant to this section, when the House adjourns on any day on a motion offered pursuant to this section by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

BANDELIER NATIONAL MONUMENT ADMINISTRATIVE IMPROVEMENT AND WATERSHED PROTECTION ACT OF 1998

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to House Resolution 604, I call up the Senate bill (S. 1132) to modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize purchase or donation of those lands, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The text of S. 1132 is as follows:

S. 1132

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 ''Bandelier National Monument Administrative Improvement and Watershed Protection Act of 1998''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that:

(1) Bandelier National Monument (hereinafter, the Monument) was established by Presidential proclamation on February 11, 1916, to preserve the archeological resources of a ''vanished people, with as much land as may be necessary for the proper protection thereof . . .'' (No. 1322; 39 Stat. 1746).

(2) At various times since its establishment, the Congress and the President have adjusted the Monument's boundaries and purpose to further preservation of archeological and natural resources within the Monument.

(A) On February 25, 1932, the Otowi Section of the Santa Fe National Forest (some 4,699 acres of land) was transferred to the Monument from the Santa Fe National Forest (Presidential Proclamation No. 1191; 17 Stat. 2503).

(B) In December of 1959, 3,600 acres of Frijoles Mesa were transferred to the National Park Service from the Atomic Energy Committee (hereinafter, AEC) and subsequently added to the Monument on January 9, 1991, because of ''pueblo-type archeological ruins germane to those in the monument'' (Presidential Proclamation No. 3388).

(C) On May 27, 1963, Upper Canyon, 2,882 acres of land previously administered by the AEC, was added to the Monument to preserve ''their unusual scenic character together with geologic and topographic features, the preservation of which would implement the purposes'' of the Monument (Presidential Proclamation No. 3539).

(D) In 1976, concerned about upstream land management activities that could result in flooding and erosion in the Monument, Congress included the headwaters of the Rito de los Frijoles and the Cañada de Cochiti Grant (a total of 7,310 acres) within the Monument's boundaries (Public Law 94–578; 90 Stat. 2732).

(E) In 1976, Congress created the Bandelier Wilderness, a 23,267 acres area that covers over 70 percent of the Monument.

(3) The Monument still has potential threats from flooding, erosion, and water quality deterioration because of the mixed ownership of the upper watersheds, along its western border, particularly in Alamo Canyon.

(b) PURPOSE.—The purpose of this Act is to modify the boundary of the Monument to allow for acquisition and enhanced protection of the lands within the Monument's upper watershed.

SEC. 3. BOUNDARY MODIFICATION.

Effective on the date of enactment of this Act, the boundaries of the Monument shall be modified to include approximately 935 acres of land comprised of the Elk Meadows subdivision, the Gardner parcel, the Clark parcel, and the Baca Land & Cattle Co. lands within the Upper Alamo watershed as depicted on the National Park Service map entitled ''Proposed Boundary Expansion Map Bandlier National Monument'' dated July, 1997. Such map shall be on file and available for public inspection in the offices of the Director of the National Park Service, Department of the Interior.

SEC. 4. LAND ACQUISITION.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the Secretary of the Interior is authorized to acquire lands and interests therein within the boundaries of the area added to the Monument by this Act by donation, purchase with donated or appropriated funds, transfer with another Federal agency, or exchange: *Provided*, That no lands or interests therein may be acquired except with the consent of the owner thereof.

(b) STATE AND LOCAL LANDS.—Lands or interests therein owned by the State of New Mexico or a political subdivision thereof may only be acquired by donation or exchange.

(c) ACQUISITION OF LESS THAN FEE INTERESTS IN LAND.—The Secretary may acquire less than fee interests in land only if the Secretary determines that such less than fee acquisition will adequately protect the Monument from flooding, erosion, and degradation of its drainage waters.

SEC. 5. ADMINISTRATION.

The Secretary of the Interior, acting through the Director of the National Park Service, shall manage the national Monument, including lands added to the Monument by this Act, in accordance with this Act and the provisions of law generally applicable to units of National Park System, including the Act of August 25, 1916, an Act to establish a National Park Service (39 Stat. 535; 16 U.S.C. 1 et seq.), and such specific legislation as heretofore has been enacted regarding the Monument.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the purpose of this Act.

The SPEAKER pro tempore (Mr. CAMP). Pursuant to House Resolution 604, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I urge my colleagues to support S. 1132.

Mr. Speaker, I rise in support of S. 1132 and urge my colleagues to pass this measure.

S. 1132 is a bill introduced by Senator JEFF BINGAMAN and has a companion bill, H.R. 3936 which was introduced by Congressman BILL REDMOND, both from the State of New Mexico. Mr. BINGAMAN and Mr. REDMOND have worked hard to develop a bill that will increase the size of Bandelier National Monument and protect its watershed.

Mr. Speaker, S. 1132 modifies the boundary to include lands within the upper watershed of the Bandelier National Monument which potentially can threaten the Monument with flooding, erosion, and water quality. The expansion will include approximately 935 acres of land and can only be acquired with the consent of the landowner. This boundary expansion will help enhance and protect the lands within the Bandelier National Monument.

I urge my colleagues to support S. 1132.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, earlier today I objected to the consideration of this legislation because I felt that the minority was being treated unfairly and that this was a political maneuver to pass this legislation and intended to hold this bill up. As a result of that I received a letter from Mr. Tom Udall who said that even though this may benefit his opponent he asked that we release this legislation so that it could be passed because of its importance to the State of New Mexico and to the Nation. It is an area that he is familiar with.

The letter referred to is as follows:

A MESSAGE FROM TOM UDALL TO HOUSE DEMOCRATS

OCTOBER 20, 1998.

DEAR REPRESENTATIVE: I urge you to vote for S. 1132, the Bandelier National Monument Administrative Improvement and Watershed Protection Act of 1998 when it comes before the House of Representatives.

This important legislation, which was introduced and has been championed by my good friend, Sen. Jeff Bingaman, is essential in order to better protect Bandelier National Monument, one of the crown jewels of our marvelous National Park System. The bill authorizes a 955-acre expansion of Bandelier, a critical conservation purchase that will secure the last unprotected parcel of the park's headwaters. Protecting this parcel will prevent destruction of this pristine natural area by development and will prevent impacts to Bandelier's water quality, quantity, and archeological sites. The area also includes Alamo Spring, which is sacred to New Mexico's Indian pueblos and must be safeguarded. Funds to acquire these lands have already been set aside by Congress.

I know and cherish our state's natural heritage. I have hiked the canyons of Bandelier. These places must be protected for our families and children, and to preserve our quality of life. If I am elected to Congress in November, I shall be a strong voice for the balanced protection of the environment and the preservation of America's magnificent national parks and public lands.

I understand there is good reason for Democrats to hesitate on this bill. It was not introduced early enough to be heard by committees in the House, and many contend that it has not received an adequate review. Moreover, the Republicans have refused to give fair consideration to Democratic bills in the final days of the Congress.

Some may feel that passage of S. 1132 might benefit my opponent in the upcoming election. I believe that protecting Bandelier is not a partisan issue. More importantly, please believe me when I say that New Mexicans already know the truth about who should take credit for protecting Bandelier if S. 1132 passes Congress. My opponent has one of the worst anti-environmental voting records in the House of Representatives (he received a 8% score from the League of Conservation Voters). What may be achieved will be achieved in spite of him, not because of him, and the citizens of New Mexico know this.

Protecting Bandelier can't wait. Please vote for S. 1132.

Sincerely,

TOM UDALL,
Candidate for the House of Representatives, 3rd Congressional District of New Mexico.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Senate bill is considered read for amendment, and pursuant to House Resolution 604, the previous question is ordered.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL ANTI-BRIBERY ACT OF 1998

Mr. BLILEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2375) to amend the Securities Exchange Act of 1934 and the Foreign Corrupt Practices Act of 1977, to strengthen prohibitions on international bribery and

other corrupt practices, and for other purposes, with Senate amendments to the House amendments thereto, disagree to the Senate amendments numbered 2 through 6 and concur in the Senate amendment numbered 1 with an amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments to the House amendments and the further House amendment as follows:

Senate amendments to House amendments:

Page 21 of the House engrossed amendments, strike out all after line 9 over to and including line 5 on page 26.

Page 26, line 6, of the House engrossed amendments, strike out ''SEC. 6'' and insert ''SEC. 5''.

Page 28 of the House engrossed amendments, strike out all after line 3, down to and including line 9.

Page 28, line 10, of the House engrossed amendments, strike out ''(8) and insert ''(7)''.

Page 28, line 14 of the House engrossed amendments, strike out ''(9)'' and insert ''(8)''.

Page 28, line 19 of the House engrossed amendments, strike out ''(10)'' and insert ''(9)''.

House amendment to Senate amendments:

In lieu of the matter proposed to be stricken by such amendment strike line 8 on page 23 of the House engrossed amendments and all that follows through line 2 on page 25 and insert the following:

(c) EXTENSION OF LEGAL PROCESS.—

(1) IN GENERAL.—Except as required by international agreements to which the United States is a party, an international organization providing commercial communications services, its officials and employees, and its records shall not be accorded immunity from suit or legal process for any act or omission taken in connection with such organization's capacity as a provider, directly or indirectly, of commercial telecommunications services to, from, or within the United States.

(2) NO EFFECT ON PERSONAL LIABILITY.—Paragraph (1) shall not affect any immunity from personal liability of any individual who is an official or employee of an international organization providing commercial communications services.

(3) EFFECTIVE DATE.—This subsection shall take effect on May 1, 1999.

(d) ELIMINATION OR LIMITATION OF EXCEPTIONS.—

(1) ACTION REQUIRED.—The President shall, in a manner that is consistent with requirements in international agreements to which the United States is a party, expeditiously take all appropriate actions necessary to eliminate or to reduce substantially all privileges and immunities that are accorded to an international organization described in subparagraph (A) or (B) of subsection (a)(1), its officials, its employees, or its records, and that are not eliminated pursuant to subsection (c).

(2) DESIGNATION OF AGREEMENTS.—The President shall designate which agreements constitute international agreements to which the United States is a party for purposes of this section.

Mr. BLILEY (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Virginia?

Mr. DINGELL. Mr. Speaker, reserving the right to object, I do not think I would object, but under my reservation, Mr. Speaker, I yield to the gentleman from Virginia (Mr. BLILEY).

Mr. BLILEY. Mr. Speaker, with this unanimous-consent request the House is amending Senate amendments to the House passed version of S. 2375, the International Anti-Bribery Act of 1998. Under this unanimous-consent request we are disagreeing to five of the Senate amendments and agreeing to one Senate amendment with an amendment. This action reflects the compromise reached with the Senate and the administration regarding the elimination of privileges and immunities afforded in a governmental organization. The legislation before the House today contains several changes from the text of H.R. 4353 as passed by the House. The changes delete redundant language in the legislation with respect to the requirements contained in international agreements addressed by the legislation, clarify aspects of the President's role in implementing the legislation, does not include the Federal Communications Commission where it already has appropriate statutory authority and provides a transition period for the effective date of a provision eliminating certain immunities. While there will be no report filed with this amendment, the committee report of H.R. 4353 contains explanatory material which we intend to be considered as legislative history, and we supplement this with additional information in the RECORD, including explanation of the changes made.

Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MARKEY) without whose help we would not be here tonight.

Mr. Speaker, I thank the gentleman from Michigan (Mr. DINGELL) for having yielded to me for an explanation.

This legislation contains amendments to S. 2375 as amended by H.R. 4353, the International Anti-Bribery and Fair Competition Act of 1998. The House bill passed by voice vote on October 9, 1998. The Senate sent it back with some changes taking out provisions we believe are important. Working with the other body and the Administration we have reached an agreement which retains the House language with a few adjustments.

I urge members to support this legislation, which will help achieve a more equitable and transparent business environment by reducing both foreign bribery and unfair privileges and immunities. While no one should be above the law, unfortunately, in the international business environment, some are.

This legislation is designed to help level the playing field for American companies doing business overseas. One way it does this by implementing the O–E–C–D Convention on Combating Bribery of Foreign Public Officials. It does so by changing our domestic anti-bribery law, the Foreign Corrupt Practices Act of F–C–P–A. The FCPA is one of the world's strictest anti-bribery laws. Americans business believes this law puts them at a disadvantage since most of our trading partners do not have similarly strong laws against bribery of foreign officials. Some of our competitors have even made bribery tax deductible! I believe contracts should go to the best competitor, not the biggest briber.

The Convention has no binding mechanism to make other nations actually adopt their own anti-bribery laws in accordance with its requirements. To help address this potential problem we added a reporting requirement to the legislation.

Chairman OXLEY and I also added a section which helps level the playing field with respect to the intergovernmental satellite organizations, INTELSAT and Inmarsat. No one should be above the law, and this bill seeks to eliminate the unfair privileges and immunities of these organizations. Further, this legislation ensures the bribery of officials in these organizations will not escape from the coverage of the FCPA until they are pro-competitively privatized. The beneficiaries will not only be competing private American satellite companies and their workers, but also consumers who will see the lower prices that increased competition brings.

While there will be no report filed with this amendment, the Committee report for H.R. 4353 explains the sections that were not changed and the managers intend that it be considered as legislative history with respect to the House's views as to the background and purpose of this legislation and for those sections discussed in the report and not changed in this amendment. *See* House Rpt. 105–802 (October 8, 1998), for H.R. 4353 as passed by the House on October 9, 1998. The Committee held a legislative hearing September 10, 1998, on this bill which should also be considered as part of the legislative history for this legislation.

The legislation before the House today contains several changes from the text of H.R. 4353 as passed by the House. The managers also intend that the Committee report be considered legislative history with respect to the subsections which were modified, subsections 5(c) and 5(d), to the extent it is relevant, and we include here additional explanation such changes in order to provide a more complete legislative history for the legislation we are considering today.

First, subparagraph 5(c)(1) was modified to delete redundant terms. Thus the phrase ''specifically and expressly required by mandatory obligations in international agreements'' was replaced with the phrase ''required by international agreements.'' We expect the requirements of such agreements to be narrowly construed and thus the additional language is not necessary. A new subparagraph 5(c)(3) was added to provide a transition period for the organizations described in subparagraph 5(a)(1) and their Signatories prior to the elimination of privileges and immunities under section 5(c). This is a transition in terms of effective date but should not be construed as providing any immunity for conduct occurring prior to the transition date.

Section 5(d) was also modified. First, subparagraph 5(c)(1) was modified to delete redundant terms. Thus the phrase ''specifically

and expressly required by mandatory obligations in international agreements'' was replaced with the phrase ''required by international agreements.'' We expect the requirements of such agreements to be narrowly construed and thus the additional language is not necessary. We intend that immunities in connection with such organizations activities in connection their capacity as providers, directly or indirectly, of commercial communication services, will be eliminated. Thus, for example they would not be immune for bribery of foreign officials to further their business activities, violations of antitrust laws or any other laws, subject to the qualifications in this subsection. Second, subparagraphs 5(d)(1) and 5(d)(2) of H.R. 4353 were combined into one subparagraph. All of the actions required of the Administration under 5(d)(1) (dealing with immunities for suit or legal process in connection with such organizations' capacity as a provider, directly or indirectly, of commercial telecommunications services) in H.R. 4353 were also covered also by 5(d)(2) in H.R. 4353 (which sought elimination or substantial reduction of all immunities not eliminated pursuant to subparagraph 5(d)(1)). These subsections were combined into a single 5(d)(1) which applies to all privileges and immunities. The managers intend that the President will vigorously and expeditiously pursue the elimination or substantial reduction of such privileges and immunities. The reference to the Federal Communications Commission was eliminated from this subsection because the Commission already has the authority under the Communications Act of 1934, as amended, and the Communications Satellite Act of 1962, as amended, to condition entry into the U.S. market on waiver of privileges or immunities. Such waivers should be required where the Commission determines that such immunities result in inappropriate or undesirable advantages in the U.S. market, or where doing so would otherwise facilitate the attainment of the policies and objectives in this legislation, the Communications Satellite Act of 1962 or the Telecommunications Act of 1934 or would otherwise serve the public interest. This includes but is not limited to conditioning entry by COMSAT and other Signatories into the U.S. domestic market on waiver of immunities. Conditioning such entry is consistent with existing Commission policy which has been implemented a number of times in the past as described in the background section of the report on H.R. 4353. The Commission also has the authority under the Communications Act of 1934 and the Communications Satellite Act of 1962 to condition entry to the U.S. market with respect to services of the organizations described in subparagraph 5(a)(1) (or their successors) in order to obtain the policy set by subparagraph 5(a)(2). Subparagraph 5(d)(2) permits the President to designate which agreements constitute international agreements for the purposes of this section. This is included for the purpose of allowing the President flexibility as the whether the INTELSAT Headquarters Agreement is an international agreement for the purposes of this section. Subparagraph 5(d)(2) was included because some raised a concern whether this agreement was an ''international'' agreement since it was an agreement between one nation and an international organization. We do not address this particular question but rather leave it to the President to determine and intend that his authority to make the determination as to whether the Headquarters Agreement constitutes an international agreement for the purposes of this section be ongoing. This subparagraph is not intended to cover any additional agreements which may be adopted subsequent to the enactment of this legislation.

This legislation we are considering today is particularly important because privileges and immunities are a competitive advantage of the intergovernmental satellite organizations which harms competition in the United States communications market.

Another important aspect of the legislation is that it also says that the Foreign Corrupt Practices Act (FCPA) will continue to apply to intergovernmental satellite organizations until they achieve a pro-competitive privatization. The legislation sets such pro-competitive privatization as U.S. government policy and says that in order for a privatization to be pro-competitive it must be consistent with ''the United States policy of obtaining full and open competition to such organizations (or their successors), and non-discriminatory market access, in the provision of satellite service.'' See section 5(a)(2). Bribery of such organizations is subject to the FCPA until the President makes a certification pursuant to section 5(b)(1), that a pro-competitive privatization has been achieved. For the purposes of seciton 5(b)(1) the President is to make a determination under subparagraph 5(a)(2) as to whether such privatization is consistent with the policy described in that subparagraph.

Overall, this legislation is designed to reduce to the minimum possible level the privileges and immunities of the intergovernmental satellite organizations. To the extent such immunities can be eliminated without abrogating international agreements the legislation does so subject to the May 1, 1999 effective date. To the extent such immunities are not thus eliminated, the managers intend the United States to seek their elimination as quickly as possible using all appropriate measures necessary to do so.

I would like to thank Chairman OXLEY for cosponsoring this legislation, and for helping to move it through the Committee process by a voice vote. He has been a leader on international issues and this is one more example of his talents. I am also pleased to have the input of the Ranking Minority Member, Mr. DINGELL. His help made a good bill even better. I would like to thank as well the Ranking Minority Member on the subcommittee, Mr. MANTON for his co-sponsorship fine service to our Committee. I also wish to thank Mr. MARKEY, who was the first cosponsor joining Chairman OXLEY and I in moving this bill forward. He and I have worked closely on this issue and I greatly appreciate his advocacy and assistance. Finally, I would also like to thank Senator BURNS for his cooperation in reaching a final deal and Secretary Daley and his staff and other hardworking Administration officials for helping us move this important legislation forward.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Further reserving the right to object, Mr. Speaker, I support the position of the gentleman from Virginia (Mr. BLILEY).

Mr. Speaker, I want to make one thing clear: I firmly believe that it is in the vital interests of American workers and American business that this Congress pass legislation this year implementing the OECD anti-bribery convention.

I understand the proposal before us includes an extraneous matter involving satellites which represents a compromise with the Administration, Comsat, and at least one Senator. My concern is that this is all happening in the very last minutes of this Congress, and may jeopardize passage of this legislation. I have not heard any definitive commitment from the Leadership of the other body that it intends to consider this matter.

Let me explain the legislative situation we face. There has never been any controversy over the provisions in this bill implementing the OECD anti-bribery convention. The only issue in controversy has been the extraneous satellite provisions.

The Senate has now passed legislation ratifying and implementing the anti-bribery convention on two different occasions, and, both times they have passed it without the satellite provisions that my good friend Chairman BLILEY has put in the House bill. The most certain way to ensure enactment of the anti-bribery legislation would be for my Republican Colleagues to concur with the Senate amendment and send that bill to the President.

Mr. Speaker, I certainly hope that action on this matter can be completed, because if it's not, American workers and American firms that must compete in international markets where bribery is prevalent, will pay the price.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Virginia?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 2375, the Senate bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1998

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight and the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 4857) to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. WAXMAN. Mr. Speaker, reserving the right to object, and I will not object, but I wanted to take this time to commend my colleagues, the gentleman from Virginia (Mr. Davis) and the gentleman from California (Mr. Horn) for the work in crafting a bipartisan bill. I applaud their devotion to ensuring that Federal debts are fully paid. This bill is a revised version of H.R. 4243, and we will support this bill and urge our colleagues to do so.

I want to commend my colleague, the gentleman from California (Mr. HORN), chairman of the Subcommittee on Government Management for his recent efforts to craft a bipartisan bill. I applaud his devotion to ensuring that federal debts are fully paid.

This bill, H.R. 4857, is a revised version of H.R. 4243. Chairman HORN has been receptive to comments and suggestions raised by the Administration and our colleagues in the other body. In light of their recommendations, he has revised the bill and improved it in a variety of ways. I support this bill and urge my colleagues to do so also.

H.R. 4857 is intended to increase collections on delinquent nontax debt owed to the federal government; improve federal payment systems and travel management; and decrease high value nontax debt totaling over $1 million. This legislation will provide the federal government with new tools to collect nontax debt over $1 million. The bill would strengthen the federal government's ability to recover substantial amounts of taxpayer money. It also enhances the ability of the Department of Justice to pursue civil actions seeking monetary damages, fines, or penalties.

More specifically, this legislation will provide additional tools for the government to improve government operations:

First, the bill contains general management improvements. It will ensure that Congress continues to receive agency audited financial statements and repeals obsolete provisions of the law. The bill will improve travel management by requiring agencies to use, to the maximum extent possible, travel management centers and electronic reservation and payment systems in order to improve efficiency and economy. It will also insure that federal employees are not inappropriately charged taxes on travel expense.

Second, the bill makes improvement to the Federal Debt Collection Improvement Act of 1996. It clarifies that Social Security payments can be offset for the collection of child support debt owed to states. These debts, since they are being enforced by a State, were ineligible for offset, as State debts were specifically excluded from Social Security offset. With this correction, states will be able to move forward with implementation of this provision.

Third, I am pleased that Representative HORN has again agreed to add a provision that the minority requested that authorizes the Department of Justice to obtain the assistance of outside counsel in the Department's pursuit of monetary claims, including civil fines or penalties. Due to the growing complexity of litigation, many lawsuits now require highly specialized expertise. These cases range from intricate antitrust cases involving software companies to labyrinthine fraud cases involving home health care or other types of complex consumer fraud. Outside firms have acquired substantial expertise that the Department of Justice may lack. To address this concern, Section 201 of this bill amends section 3718 of Title 31 to allow the Department of Justice to retain outside counsel to assist the Department in litigation seeking monetary damages, fines, or penalties.

Fourth, this bill will authorize agencies to sell nontax debts owed to the U.S. in order to reduce delinquent nontax debts held by agencies. This will allow federal agencies to obtain the maximum value for loans and debt assets. In addition, this legislation will provide agencies with increased leverage to collect debt from certain self-employed professionals. Under the bill, agencies will have the authority to deny federal permits or licenses to delinquent federal debtors.

Fifth, this legislation will dictate greater disclosure of high value nontax debts by requiring annual reports to Congress. It will also authorize agencies to seize the assets of delinquent nontax debtors who owe the U.S. more than $1 million.

And finally, this legislation improves financial management by authorizing agencies to accept electronic payments to satisfy a nontax debt owed to the agency.

It is our goal in passing this legislation to improve the efficiency of our government and to protect the financial interest of the taxpayers by collecting what is rightfully owed. This bill makes constructive changes to improve the performance of the federal government. It makes good sense and is good government. I urge your support for this measure.

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Waste, Fraud, and Error Reduction Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definition.
Sec. 4. Application of Act.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

Sec. 101. Improving financial management.
Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

Sec. 201. Miscellaneous technical corrections to subchapter II of chapter 37 of title 31, United States Code.
Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.
Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF DEBTS OWED TO UNITED STATES

Sec. 301. Authority to sell debts.
Sec. 302. Requirement to sell certain debts.

TITLE IV—TREATMENT OF HIGH VALUE DEBTS

Sec. 401. Annual report on high value debts.
Sec. 402. Review by Inspectors General.
Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value debt.

TITLE V—FEDERAL PAYMENTS

Sec. 501. Promoting electronic payments.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To reduce waste, fraud, and error in Federal benefit programs.

(2) To focus Federal agency management attention on high-risk programs.

(3) To better collect debts owed to the United States.

(4) To improve Federal payment systems.

(5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act, the term ''nontax debt'' means any debt (within the meaning of that term as used in chapter 37 of title 31, United States Code) other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

SEC. 4. APPLICATION OF ACT.

No provision of this Act shall apply to the Department of the Treasury or the Internal Revenue Service to the extent that such provision—

(1) involves the administration of the internal revenue laws; or

(2) conflicts with the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Code of 1986, or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

(a) REPEAL.—Section 3515 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''1997'' and inserting ''1999''; and

(B) by inserting ''Congress and'' after ''submit to'';

(2) by striking subsection (e); and

(3) by striking subsections (f), (g), and (h).

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date of the enactment of this Act.

(2) SECRETARY'S WAIVER AUTHORITY.—Subsection (a)(1) of this section shall take effect March 1, 1998.

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title.''.

(b) USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.—

(1) REQUIREMENT TO ENCOURAGE USE.—The head of each executive agency shall, with respect to travel by employees of the agency in the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) PLAN FOR IMPLEMENTATION.—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents,

and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 1999.

(c) PAYMENT OF STATE AND LOCAL TAXES ON TRAVEL EXPENSES.—

(1) IN GENERAL.—The Administrator of General Services shall ensure that employees of executive agencies are not inappropriately charged State and local taxes on travel expenses, including transportation, lodging, automobile rental, and other miscellaneous travel expenses.

(2) REPORT.—Not later than March 31, 1999, the Administrator shall, after consultation with the heads of executive agencies, submit to Congress a report describing the steps taken, and proposed to be taken, to carry out this subsection.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS TECHNICAL CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) CHILD SUPPORT ENFORCEMENT.—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

''(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply.''.

(b) DEBT SALES.—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(c) GAINSHARING.—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking ''delinquent loans'' and inserting ''debts''.

(d) PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is further amended by adding at the end the following:

''(11) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

''(12)(A) The Secretary of the Treasury shall provide that any contract with a private collection contractor under this subsection shall include a provision that the contractor shall be subject to penalties under the contract—

''(i) if the contractor fails to comply with any restrictions under applicable law regarding the collection activities of debt collectors; or

''(ii) if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract.

''(B) Notwithstanding any other provision of law, a private collection contractor under this subsection shall not be subject to any liability or contract penalties in connection with efforts to collect a debt pursuant to a contract under this subsection by reason of actions that are required by the contract or by applicable law or regulations.

''(13) In evaluating the performance of a contractor under any contract entered into under this subsection, the Secretary of the Treasury shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.

''(14) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.''.

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is further amended by adding at the end the following:

''(h) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

''(i)(1) The head of an executive, judicial, or legislative agency that contracts with a private collection contractor to collect a debt owed to the agency, or a guaranty agency or institution of higher education that contracts with a private collection contractor to collect a debt owed under any loan program authorized under title IV of the Higher Education Act of 1965, shall include a provision in the contract that the contractor—

''(A) shall be subject to penalties under the contract if the contractor fails to comply with any restrictions imposed under applicable law on the collection activities of debt collectors; and

''(B) shall be subject to penalties under the contract if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract.

''(2) Notwithstanding any other provision of law, a private collection contractor under this section shall not be subject to any liability or contract penalties in connection with efforts to collect a debt owed to an executive, judicial, or legislative agency, or owed under any loan program authorized under title IV of the Higher Education Act of 1965, by reason of actions required by the contract, or by applicable law or regulations.

''(j) In evaluating the performance of a contractor under any contract for the performance of debt collection services entered into by an executive, judicial, or legislative agency, the head of the agency shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.

''(k) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.''.

(3) CONSTRUCTION.—None of the amendments made by this subsection shall be construed as altering or superseding the provisions in section 362 of title 11, United States Code or section 6103 of the Internal Revenue Code of 1986.

(e) CLERICAL AMENDMENT.—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

''For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee.''.

(f) CORRECTION OF REFERENCES TO FEDERAL AGENCY.—(1) Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking ''Federal agency'' each place it appears and inserting ''executive, judicial, or legislative agency''.

(2) Section 3716(h)(2)(C), of title 31, United States Code, is amended by striking ''a Federal agency'' and inserting ''an executive, judicial, or legislative agency''.

(g) CLARIFICATION OF INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public Law 104–134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(h) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting '', or any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General'' before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting ''or in connection with other monetary claims'' after ''collection of claims of indebtedness'';

(B) by inserting ''or claim'' after ''the indebtedness''; and

(C) by inserting ''or other person'' after ''the debtor''; and

(3) in subsection (d), by inserting ''or any other monetary claim of'' after ''indebtedness owed''.

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

''§ 3720B. Barring delinquent Federal debtors from obtaining Federal benefits

''(a)(1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in a delinquent status with any executive, judicial, or legislative agency, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

''(2) The Federal benefits referred to in paragraph (1) are the following:

''(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

''(B) Any Federal permit or license otherwise required by law.

''(b) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

''(c)(1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

''(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer of the agency.

''(3) The chief financial officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer of the agency. The deputy chief financial officer may not redelegate such authority.

''(d) As used in this section, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

''3720B. Barring delinquent Federal debtors from obtaining Federal benefits.''.

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions in section 525 of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

''(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

''(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

''(C) The Secretary of the Treasury shall—

''(i) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

''(ii) maximize collections of delinquent nontax debts by referring delinquent nontax debts promptly;

''(iii) maintain competition between private collection contractors;

''(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a nontax debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

''(D) As used in this paragraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting ''(A)'' after ''(9)'';

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting ''and subject to subparagraph (B)'' after ''as applicable''; and

(4) by adding at the end the following:

''(B)(i) The head of an executive, judicial, or legislative agency may not discharge a nontax debt or terminate collection action on a nontax debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

''(ii) The head of an executive, judicial, or legislative agency may waive the application of clause (i) to any nontax debt, or class of nontax debts if the head of the agency determines that the waiver is in the best interest of the United States.

''(iii) As used in this subparagraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL NONTAX DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of nontax debt sales in order to—

(1) minimize the loan and nontax debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent nontax debts held by the agency;

(4) obtain the maximum value for loan and nontax debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93–344).

(b) SALES AUTHORIZED.—(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

(2) Costs the agency incurs in selling nontax debt pursuant to this section may be deducted from the proceeds received from the sale. Such costs may include, but are not limited to—

(A) the costs of any contract for identification, billing, or collection services;

(B) the costs of contractors assisting in the sale of nontax debt;

(C) the fees of appraisers, auctioneers, and realty brokers;

(D) the costs of advertising and surveying; and

(E) other reasonable costs incurred by the agency.

(3) Sales of nontax debt under this section—

(A) shall be for—

(i) cash; or

(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

(B) shall be without recourse against the United States, but may include the use of guarantees if otherwise authorized by law; and

(C) shall transfer to the purchaser all rights of the United States to demand payment of the nontax debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii).

(c) EXISTING AUTHORITY NOT AFFECTED.—This section is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, nontax debts, or other assets.

SEC. 302. REQUIREMENT TO SELL CERTAIN NONTAX DEBTS.

(a) SALE OF DELINQUENT LOANS.—The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

(1) the date on which the nontax debt becomes 24 months delinquent; or

(2) 24 months after referral of the nontax debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

(b) SALE OF NEW LOANS.—The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Such loan obligations shall be audited annually in accordance with generally accepted audit standards. Sales under this subsection shall be conducted under the authority in section 301.

(c) SALE OF NONTAX DEBTS AFTER TERMINATION OF COLLECTION ACTION.—After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Such nontax debts shall be audited annually in accordance with generally accepted audit standards.

(d) LIMITATIONS.—(1) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any nontax debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

(2) The head of an executive, judicial, or legislative agency may exempt from sale any class of nontax debts if the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the indebtedness was incurred.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the borrower defaulted.

(c) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term ''high value nontax debt'' means a nontax

debt having an outstanding value (including principal, interest, and penalties) that exceeds $1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

The Inspector General of each agency shall review the annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency's nontax debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

''(1) provide that the required payment date is—

''(A) the date payment is due under the contract for the item of property or service provided; or

''(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;''; and

(2) by striking ''and'' after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting ''; and'', and by adding at the end the following:

''(10) provide that the Director of the Office of Management and Budget may waive the application of requirements under paragraph (1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice.''.

(b) AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.—

(1) IN GENERAL.—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Director of the Office of Management and Budget, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a nontax debt owed to the agency.

(2) GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.—The Director of the Office of Management and Budget shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DAVIS OF VIRGINIA

Mr. DAVIS of Virginia. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. DAVIS of Virginia:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Waste, Fraud, and Error Reduction Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definition.
Sec. 4. Application of Act.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

Sec. 101. Improving financial management.
Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

Sec. 201. Miscellaneous technical corrections to subchapter II of chapter 37 of title 31, United States Code.
Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.
Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

Sec. 301. Authority to sell nontax debts.
Sec. 302. Requirement to sell certain nontax debts.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

Sec. 401. Annual report on high value nontax debts.
Sec. 402. Review by Inspectors General.
Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value nontax debt.

TITLE V—FEDERAL PAYMENTS

Sec. 501. Promoting electronic payments.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To reduce waste, fraud, and error in Federal benefit programs.

(2) To focus Federal agency management attention on high-risk programs.

(3) To better collect debts owed to the United States.

(4) To improve Federal payment systems.

(5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act, the term ''nontax debt'' means any debt (within the meaning of that term as used in chapter 37 of title 31, United States Code) other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

SEC. 4. APPLICATION OF ACT.

No provision of this Act shall apply to the Department of the Treasury or the Internal Revenue Service to the extent that such provision—

(1) involves the administration of the internal revenue laws; or

(2) conflicts with the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Code of 1986, or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

(a) REPEAL.—Section 3515 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''1997'' and inserting ''1999''; and

(B) by inserting ''Congress and'' after ''submit to'';

(2) by striking subsection (e); and

(3) by striking subsections (f), (g), and (h).

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date of the enactment of this Act.

(2) SECRETARY'S WAIVER AUTHORITY.—Subsection (a)(1) of this section shall take effect March 1, 1998.

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title.''.

(b) USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.—

(1) REQUIREMENT TO ENCOURAGE USE.—The head of each executive agency shall, with respect to travel by employees of the agency in the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) PLAN FOR IMPLEMENTATION.—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents, and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 1999.

(c) PAYMENT OF STATE AND LOCAL TAXES ON TRAVEL EXPENSES.—

(1) IN GENERAL.—The Administrator of General Services shall develop a mechanism to ensure that employees of executive agencies are not inappropriately charged State and local taxes on travel expenses, including transportation, lodging, automobile rental, and other miscellaneous travel expenses.

(2) REPORT.—Not later than March 31, 1999, the Administrator shall, after consultation with the heads of executive agencies, submit to Congress a report describing the steps taken, and proposed to be taken, to carry out this subsection.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS TECHNICAL CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) CHILD SUPPORT ENFORCEMENT.—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

''(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply.''.

(b) DEBT SALES.—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(c) GAINSHARING.—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking ''delinquent loans'' and inserting ''debts''.

(d) PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is further amended by adding at the end the following:

''(11) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office

of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

''(12)(A) The Secretary of the Treasury shall provide that any contract with a private collection contractor under this subsection shall include a provision that the contractor shall be subject to penalties under the contract—

''(i) if the contractor fails to comply with any restrictions under applicable law regarding the collection activities of debt collectors; or

''(ii) if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract.

''(B) Notwithstanding any other provision of law, a private collection contractor under this subsection shall not be subject to any liability or contract penalties in connection with efforts to collect a debt pursuant to a contract under this subsection by reason of actions that are required by the contract or by applicable law or regulations.

''(13) In evaluating the performance of a contractor under any contract entered into under this subsection, the Secretary of the Treasury shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.

''(14) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.''.

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is further amended by adding at the end the following:

''(h) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

''(i)(1) The head of an executive, judicial, or legislative agency that contracts with a private collection contractor to collect a debt owed to the agency, or a guaranty agency or institution of higher education that contracts with a private collection contractor to collect a debt owed under any loan program authorized under title IV of the Higher Education Act of 1965, shall include a provision in the contract that the contractor—

''(A) shall be subject to penalties under the contract if the contractor fails to comply with any restrictions imposed under applicable law on the collection activities of debt collectors; and

''(B) shall be subject to penalties under the contract if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract.

''(2) Notwithstanding any other provision of law, a private collection contractor under this section shall not be subject to any liability or contract penalties in connection with efforts to collect a debt owed to an executive, judicial, or legislative agency, or owed under any loan program authorized under title IV of the Higher Education Act of 1965, by reason of actions required by the contract, or by applicable law or regulations.

''(j) In evaluating the performance of a contractor under any contract for the performance of debt collection services entered into by an executive, judicial, or legislative agency, the head of the agency shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.

''(k) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The frequency of valid debtor complaints shall also be considered in the evaluation criteria.''.

(3) CONSTRUCTION.—None of the amendments made by this subsection shall be construed as altering or superseding the provisions of title 11, United States Code, or section 6103 of the Internal Revenue Code of 1986.

(e) CLERICAL AMENDMENT.—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

''For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee.''.

(f) CORRECTION OF REFERENCES TO FEDERAL AGENCY.—(1) Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking ''Federal agency'' each place it appears and inserting ''executive, judicial, or legislative agency''.

(2) Section 3716(h)(2)(C), of title 31, United States Code, is amended by striking ''a Federal agency'' and inserting ''an executive, judicial, or legislative agency''.

(g) CLARIFICATION OF INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public Law 104–134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(h) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting '', or any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General'' before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting ''or in connection with other monetary claims'' after ''collection of claims of indebtedness'';

(B) by inserting ''or claim'' after ''the indebtedness''; and

(C) by inserting ''or other person'' after ''the debtor''; and

(3) in subsection (d), by inserting ''or any other monetary claim of'' after ''indebtedness owed''.

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

''§ 3720B. Barring delinquent Federal debtors from obtaining Federal benefits

''(a)(1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in a delinquent status with any executive, judicial, or legislative agency, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

''(2) The Federal benefits referred to in paragraph (1) are the following:

''(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

''(B) Any Federal permit or license otherwise required by law.

''(b) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

''(c)(1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

''(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer of the agency.

''(3) The chief financial officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer of the agency. The deputy chief financial officer may not redelegate such authority.

''(d) As used in this section, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

''3720B. Barring delinquent Federal debtors from obtaining Federal benefits.''.

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

''(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

''(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

''(C) The Secretary of the Treasury shall—

''(i) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

''(ii) maximize collections of delinquent nontax debts by referring delinquent nontax debts promptly;

''(iii) maintain competition between private collection contractors;

''(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a nontax debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

''(D) As used in this paragraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting ''(A)'' after ''(9)'';

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting ''and subject to subparagraph (B)'' after ''as applicable''; and

(4) by adding at the end the following:

''(B)(i) The head of an executive, judicial, or legislative agency may not discharge a nontax debt or terminate collection action on a nontax debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

''(ii) The head of an executive, judicial, or legislative agency may waive the application of clause (i) to any nontax debt, or class of nontax debts if the head of the agency determines that the waiver is in the best interest of the United States.

''(iii) As used in this subparagraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.''.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL NONTAX DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of nontax debt sales in order to—

(1) minimize the loan and nontax debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent nontax debts held by the agency;

(4) obtain the maximum value for loan and nontax debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93–344).

(b) SALES AUTHORIZED.—(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

(2) Costs the agency incurs in selling nontax debt pursuant to this section may be deducted from the proceeds received from the sale. Such costs may include, but are not limited to—

(A) the costs of any contract for identification, billing, or collection services;

(B) the costs of contractors assisting in the sale of nontax debt;

(C) the fees of appraisers, auctioneers, and realty brokers;

(D) the costs of advertising and surveying; and

(E) other reasonable costs incurred by the agency.

(3) Sales of nontax debt under this section—

(A) shall be for—

(i) cash; or

(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

(B) shall be without recourse against the United States, but may include the use of guarantees if otherwise authorized by law; and

(C) shall transfer to the purchaser all rights of the United States to demand payment of the nontax debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii).

(c) EXISTING AUTHORITY NOT AFFECTED.—This section is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, nontax debts, or other assets.

SEC. 302. REQUIREMENT TO SELL CERTAIN NONTAX DEBTS.

(a) SALE OF DELINQUENT LOANS.—The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

(1) the date on which the nontax debt becomes 24 months delinquent; or

(2) 24 months after referral of the nontax debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

(b) SALE OF NEW LOANS.—The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Such loan obligations shall be audited annually in accordance with generally accepted audit standards. Sales under this subsection shall be conducted under the authority in section 301.

(c) SALE OF NONTAX DEBTS AFTER TERMINATION OF COLLECTION ACTION.—After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Such nontax debts shall be audited annually in accordance with generally accepted audit standards.

(d) LIMITATIONS.—(1) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any nontax debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

(2) The head of an executive, judicial, or legislative agency may exempt from sale any class of nontax debts if the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the indebtedness was incurred.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the borrower defaulted.

(c) DEFINITIONS.—In this title:

(1) AGENCY.—The term ''agency'' has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term ''high value nontax debt'' means a nontax debt having an outstanding value (including principal, interest, and penalties) that exceeds $1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

The Inspector General of each agency shall review the annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency's nontax debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

''(1) provide that the required payment date is—

''(A) the date payment is due under the contract for the item of property or service provided; or

''(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;''; and

(2) by striking ''and'' after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting ''; and'', and by adding at the end the following:

''(10) provide that the Director of the Office of Management and Budget may waive the application of requirements under paragraph

(1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice.''.

(b) AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.—

(1) IN GENERAL.—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Secretary of the Treasury, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a nontax debt owed to the agency.

(2) GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.—The Secretary of the Treasury shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

Mr. DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DAVIS of Virginia. Mr. Speaker, this is a bipartisan piece of legislation that passed the House on the suspension calendar last week. The version before us now has been modified to reflect the views of the relevant Senate committees of jurisdiction as well as those of the administration. The bill is necessary as uncollected debt owed the Federal Government continues to be a major problem. According to the Department of Treasury, delinquent nontax debts owed to the Federal Government totaled $51 billion at the end of Fiscal Year 1997.

□ 2000

Of this amount, $47.2 billion was delinquent for more than 180 days.

This bill will prove improve the efficiency and economy of Federal debt collection practices. It builds on other debt collection initiatives and provides the Federal Government with important debt collection tools.

The bill requires agencies to report to Congress on uncollected delinquent non-tax debts over $1 million. The bill also authorizes agencies to sell non-tax loans and bar delinquent debtors from obtaining a Federal permit or license, Federal contract, or other award or renewal of a Federal benefit. H.R. 4857 contains these important provisions and many others designed to improve the efficiency and effectiveness of the debt collection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Virginia (Mr. DAVIS).

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENROLLMENT OF H.R. 3910, AUTOMOBILE NATIONAL HERITAGE AREA ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 129) to correct a technical error in the enrollment of H.R. 3910, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

The Chair has not received assurances of clearance from the minority at this time.

Mr. YOUNG of Alaska. Mr. Speaker, we have been assured of the clearance by the minority. There is minority on the floor. They agree with it.

The SPEAKER pro tempore. The request of the gentleman is withdrawn.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1998

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that the Committee on Science be discharged from further consideration of the bill (H.R. 4859) to improve the ability of Federal agencies to license federally owned inventions, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4859

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 ''Technology Transfer Commercialization Act of 1998''.

SEC. 2. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting ''or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, for which a patent application was filed before the granting of the license, and directly within the scope of the work under the agreement,'' after ''under the agreement,''.

SEC. 3. LICENSING FEDERALLY OWNED INVENTIONS.

(a) AMENDMENT.—Section 209 of title 35, United States Code, is amended to read as follows:

''§ 209. Licensing federally owned inventions

''(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive license on a federally owned invention under section 207(a)(2) only if—

''(1) granting the license is a reasonable and necessary incentive to—

''(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

''(B) otherwise promote the invention's utilization by the public;

''(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical utilization, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

''(3) the applicant makes a commitment to achieve practical utilization of the invention within a reasonable time, which time may be extended by the agency upon the applicant's request and the applicant's demonstration that the refusal of such extension would be unreasonable;

''(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

''(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

''(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license under section 207(a)(2) to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

''(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under section 207(a)(2) shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

''(d) TERMS AND CONDITIONS.—Any licenses granted under section 207(a)(2) shall contain such terms and conditions as the granting agency considers appropriate. Such terms and conditions shall include provisions—

''(1) retaining a nontransferrable, irrevocable, paid-up license for any Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

''(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with; and

''(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

''(A) the licensee is not executing its commitment to achieve practical utilization of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has taken, or can be expected to take within a reasonable time, effective steps to achieve practical utilization of the invention;

''(B) the licensee is in breach of an agreement described in subsection (b);

''(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

''(D) the licensee has been found by a court of competent jurisdiction to have violated the Federal antitrust laws in connection with its performance under the license agreement.

''(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under section 207(a)(2) unless public notice of

the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received before the end of the comment period in response to that public notice. This subsection shall not apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

''(f) PLAN.—No Federal agency shall grant any license under a patent or patent application on a federally owned invention unless the person requesting the license has supplied the agency with a plan for development and/or marketing of the invention, except that any such plan may be treated by the Federal agency as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under section 552 of title 5 of the United States Code.''.

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

''209. Licensing federally owned inventions.''.

SEC. 4. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the ''Bayh-Dole Act''), is amended—

(1) by amending section 202(e) to read as follows:

''(e) In any case when a Federal employee is a coinventor of any invention made with a nonprofit organization or small business firm, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention and if it finds that it would expedite the development of the invention—

''(1) license or assign whatever rights it may acquire in the subject invention to the nonprofit organization or small business firm in accordance with the provisions of this chapter; or

''(2) acquire any rights in the subject invention from the nonprofit organization or small business firm, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction and no other transaction under this chapter is conditioned on such acquisition.''; and

(2) in section 207(a)—

(A) by striking ''patent applications, patents, or other forms of protection obtained'' and inserting ''inventions'' in paragraph (2); and

(B) by inserting '', including acquiring rights for the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention'' after ''or through contract'' in paragraph (3).

SEC. 5. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

The Stevenson-Wydler Technology Innovation Act of 1980 is amended—

(1) in section 4(4) (15 U.S.C. 3703(4)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(2) in section 4(6) (15 U.S.C. 3703(6)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(3) in section 5(c)(11) (15 U.S.C. 3704(c)(11)), by striking ''State of local governments'' and inserting ''State or local governments'';

(4) in section 9 (15 U.S.C. 3707), by—

(A) striking ''section 6(a)'' and inserting ''section 7(a)'';

(B) striking ''section 6(b)'' and inserting ''section 7(b)''; and

(C) striking ''section 6(c)(3)'' and inserting ''section 7(c)(3)'';

(5) in section 11(e)(1) (15 U.S.C. 3710(e)(1)), by striking ''in cooperation with Federal Laboratories'' and inserting ''in cooperation with Federal laboratories'';

(6) in section 11(i) (15 U.S.C. 3710(i)), by striking ''a gift under the section'' and inserting ''a gift under this section'';

(7) in section 14 (15 U.S.C. 3710c)—

(A) in subsection (a)(1)(A)(i), by inserting '', if the inventor's or coinventor's rights are assigned to the United States'' after ''inventor or coinventors'';

(B) in subsection (a)(1)(B), by striking ''succeeding fiscal year'' and inserting ''2 succeeding fiscal years''; and

(C) in subsection (b)(2), by striking ''inventon'' and inserting ''invention''; and

(8) in section 22 (15 U.S.C. 3714), by striking ''sections 11, 12, and 13'' and inserting ''sections 12, 13, and 14''.

SEC. 6. REVIEW OF COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT PROCEDURES.

(a) REVIEW.—Within 90 days after the date of the enactment of this Act, each Federal agency with a Federally funded laboratory that has in effect on that date of enactment one or more cooperative research and development agreements under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) shall report to the Committee on National Security of the National Science and Technology Council and the Congress on the general policies and procedures used by that agency to gather and consider the views of other agencies on—

(1) joint work statements under section 12(c)(5)(C) or (D) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)(C) or (D)); or

(2) in the case of laboratories described in section 12(d)(2)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)(A)), cooperative research and development agreements under such section 12,

with respect to major proposed cooperative research and development agreements that involve critical national security technology or may have a significant impact on domestic or international competitiveness.

(b) PROCEDURES.—Within one year after the date of the enactment of this Act, the Committee on National Security of the National Science and Technology Council, in conjunction with relevant Federal agencies and national laboratories, shall—

(1) determine the adequacy of existing procedures and methods for interagency coordination and awareness with respect to cooperative research and development agreements described in subsection (a); and

(2) establish and distribute to appropriate Federal agencies—

(A) specific criteria to indicate the necessity for gathering and considering the views of other agencies on joint work statements or cooperative research and development agreements as described in subsection (a); and

(B) additional procedures, if any, for carrying out such gathering and considering of agency views with respect to cooperative research and development agreements described in subsection (a).

Procedures established under this subsection shall be designed to the extent possible to use or modify existing procedures, to minimize burdens on Federal agencies, to encourage industrial partnerships with national laboratories, and to minimize delay in the approval or disapproval of joint work statements and cooperative research and development agreements.

(c) LIMITATION.—Nothing in this Act, nor any procedures established under this section shall provide to the Office of Science and Technology Policy, the National Science and Technology Council, or any Federal agency the authority to disapprove a cooperative research and development agreement or joint work statement, under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a), of another Federal agency.

SEC. 7. INCREASED FLEXIBILITY FOR FEDERAL LABORATORY PARTNERSHIP INTERMEDIARIES.

Section 23 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715) is amended—

(1) in subsection (a)(1) by inserting '', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code'' after ''small business firms''; and

(2) in subsection (c) by inserting '', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code,'' after ''small business firms''.

SEC. 8. STUDY AND REPORT ON BIOLOGICAL DEPOSITS IN SUPPORT OF BIOTECHNOLOGY PATENTS.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the General Accounting Office, in consultation with the United States Patent and Trademark Office, shall conduct a study and submit a report to Congress on the potential risks to the United States biotechnology industry relating to biological deposits in support of biotechnology patents.

(b) CONTENTS.—The study conducted under this section shall include—

(1) an examination of the risk of export and the risk of third-party transfer of biological deposits, and the risks posed by the change to 18-month publication requirements;

(2) an analysis of comparative legal and regulatory regimes; and

(3) any related recommendations.

(c) CONSIDERATION OF REPORT.—In drafting regulations affecting biological deposits (including any modification of 37 Code of Federal Regulations 1.801 et seq.), the United States Patent and Trademark Office shall consider the recommendations of the study conducted under this section.

SEC. 9. PROVISIONAL APPLICATIONS.

(a) ABANDONMENT.—Section 111(b)(5) of title 35, United States Code, is amended to read as follows:

''(5) ABANDONMENT.—Notwithstanding the absence of a claim, upon timely request and as prescribed by the Commissioner, a provisional application may be treated as an application filed under subsection (a). Subject to section 119(e)(3) of this title, if no such request is made, the provisional application shall be regarded as abandoned 12 months after the filing date of such application and shall not be subject to revival thereafter.''.

(b) TECHNICAL AMENDMENT RELATING TO WEEKENDS AND HOLIDAYS.—Section 119(e) of title 35, United States Code, is amended by adding at the end the following:

''(3) If the day that is 12 months after the filing date of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, the period of pendency of the provisional application shall be extended to the next succeeding secular or business day.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to a provisional application filed on or after June 8, 1995.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS AND CLARK EXPEDITION BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. CASTLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1560) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis & Clark Expedition, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment, with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendment to the Senate amendment as follows:

Senate amendment:

Page 10, after line 2 insert:

SEC. 11. CONGRESSIONAL GOLD MEDALS FOR THE "LITTLE ROCK NINE".

(a) FINDINGS.—The Congress finds that—

(1) Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, hereafter in this section referred to as the ''Little Rock Nine'', voluntarily subjected themselves to the bitter stinging pains of racial bigotry;

(2) the Little Rock Nine are civil rights pioneers whose selfless acts considerably advanced the civil rights debate in this country;

(3) the Little Rock Nine risked their lives to integrate Central High School in Little Rock, Arkansas, and subsequently the Nation;

(4) the Little Rock Nine sacrificed their innocence to protect the American principle that we are all ''one nation, under God, indivisible'';

(5) the Little Rock Nine have indelibly left their mark on the history of this Nation; and

(6) the Little Rock Nine have continued to work toward equality for all Americans.

(b) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of Congress, to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred to the ''Little Rock Nine'', gold medals of appropriate design, in recognition of the selfless heroism that such individuals exhibited and the pain they suffered in the cause of civil rights by integrating Central High School in Little Rock, Arkansas.

(c) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (b) the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary for each recipient.

(d) AUTHORIZATION OF APPROPRIATION.—Effective October 1, 1998, there are authorized to be appropriated such sums as may be necessary to carry out this section.

(e) DUPLICATE MEDALS.—

(1) STRIKING AND SALE.—The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medals struck pursuant to this section under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

(2) REIMBURSEMENT OF APPROPRIATION.—The appropriation used to carry out this section shall be reimbursed out of the proceeds of sales under paragraph (1).

SEC. 12. FORD CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, to Gerald R. and Betty Ford a gold medal of appropriate design—

(1) in recognition of their dedicated public service and outstanding humanitarian contributions to the people of the United States; and

(2) in commemoration of the following occasions in 1998:

(A) The 85th anniversary of the birth of President Ford.

(B) The 80th anniversary of the birth of Mrs. Ford.

(C) The 50th wedding anniversary of President and Mrs. Ford.

(D) The 50th anniversary of the 1st election of Gerald R. Ford to the United States House of Representatives.

(E) The 25th anniversary of the approval of Gerald R. Ford by the Congress to become Vice President of the United States.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated not to exceed $20,000 to carry out this section.

(d) DUPLICATE MEDALS.—

(1) STRIKING AND SALE.—The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to this section under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

(2) REIMBURSEMENT OF APPROPRIATION.—The appropriation used to carry out this section shall be reimbursed out of the proceeds of sales under paragraph (1).

(e) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 13. 6-MONTH EXTENSION FOR CERTAIN SALES.

Notwithstanding section 101(7)(D) of the United States Commemorative Coin Act of 1996, the Secretary of the Treasury may, at any time before January 1, 1999, make bulk sales at a reasonable discount to the Jackie Robinson Foundation of not less than 20 percent of any denomination of proof and uncirculated coins minted under section 101(7) of such Act which remained unissued as of July 1, 1998, except that the total number of coins of any such denomination which were issued under such section or this section may not exceed the amount of such denomination of coins which were authorized to be minted and issued under section 101(7)(A) of such Act.

House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the Senate—

(1) insert after the enacting clause, the following new heading (and redesignate sections 1 through 10 as sections 101 through 110, respectively):

"TITLE I—LEWIS AND CLARK EXPEDITION BICENTENNIAL COIN"; and

(2) add at the end the following new title:

TITLE II—LEIF ERICSSON MILLENNIUM COMMEMORATIVE COIN

SEC. 201. SHORT TITLE.

This title may be cited as the ''Leif Ericsson Millennium Commemorative Coin Act''.

SEC. 202. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—In conjunction with the simultaneous mining and issuance of commemorative coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericsson, the Secretary of the Treasury (hereafter in this title referred to as the ''Secretary'') shall mint and issue not more than 500,000 1 dollar coins, which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this title shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

SEC. 203. SOURCES OF BULLION.

The Secretary may obtain silver for minting coins under this title from any available source, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 204. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this title shall be emblematic of the millennium of the discovery of the New World by Leif Ericsson.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this title there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2000''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this title shall be—

(1) selected by the Secretary after consultation with the Leifur Eiríksson Foundation and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 205. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this title shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this title.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this title beginning January 1, 2000.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this title after December 31, 2000.

SEC. 206. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this title shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—All surcharges received by the Secretary from the sale of coins issued under this title shall be promptly paid by the Secretary to the Leifur Eiríksson Foundation for the purpose of funding student exchanges between students of the United States and students of Iceland.

(c) AUDITS.—The Leifur Eiríksson Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the Foundation under subsection (b).

SEC. 207. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority

of this Act from complying with any law relating to equal employment opportunity.

Mr. CASTLE (during the reading). Mr. Speaker I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Delaware.

There was no objection.

A motion to reconsider was laid on the table.

DESIGNATION OF HON. CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS FOR REMAINDER OF SECOND SESSION OF ONE HUNDRED FIFTH CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 20, 1998.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore to sign enrolled bills and joint resolutions for the remainder of the second session of the One Hundred Fifth Congress.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is accepted.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TOMORROW

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that the business in order under Calendar Wednesday on tomorrow be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXPRESSING SENSE OF HOUSE REGARDING SALE OR DIVERSION OF GREAT LAKES WATER

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 566) expressing the sense of the House of Representatives that the President and the Senate should take the necessary actions to prevent the sale or diversion of Great Lakes water to foreign countries, businesses, corporations, and individuals until procedures are established to guarantee that any such sale is fully negotiated between and approved by the governments concerned, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution as follows:

H. RES. 566

Whereas the water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the Great Lakes States and the Canadian Provinces;

Whereas the Great Lakes need to be carefully managed and protected in order to meet current and future water needs within the Great Lakes Basin and the Canadian Provinces;

Whereas any new diversions of Great Lakes waters for use outside of the Great Lakes Basin will have significant adverse effects on the environment, economy, and welfare of the Great Lakes region;

Whereas the Province of Ontario, Canada, has authorized an Ontario company to divert water from the Great Lakes for sale to Asia;

Whereas 4 of the Great Lakes contain international waters, and are defined as ''boundary waters'' in the Boundary Waters Treaty of 1909 between the United States and Canada, and therefore any new diversion of Great Lakes water would affect the relations between the Government of the United States and the Government of Canada;

Whereas as trustees of the Great Lakes Basin's natural resources, the Great Lakes States and Provinces have a shared duty to protect, conserve, and manage the renewable but finite waters of the Great Lakes Basin for the use, benefit, and enjoyment of all their citizens, and future generations; and

Whereas the most effective means of protecting, conserving, and managing the water resources of the Great Lakes is through the joint pursuit of unified and cooperative principles, policies, and programs mutually agreed upon, enacted, and adhered to by each and every Great Lakes State and Province: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President and the Senate should act to prevent the sale or diversion of Great Lakes water to foreign countries, businesses, corporations, and individuals until procedures are established to guarantee that any such sale or diversion is fully negotiated and approved by representatives of the United States Government and the Government of Canada, in consultation with any Great Lakes State or Province that could be impacted by such a sale or diversion.

The SPEAKER pro tempore. The gentleman from New York (Mr. GILMAN) is recognized for one hour.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to just note that this is a measure introduced by the gentleman from Michigan (Mr. STUPAK). The minority on our committee asked that committee consideration be waived so the resolution could be brought to the floor today. I am pleased to support the minority's request.

This resolution has the bipartisan cosponsorship of Members from Great Lakes states responding to a unilateral move by a Canadian province to authorize a private company to sell Great Lakes water to Asia.

I urge my colleagues to support this measure.

Mr. STUPAK. Mr. Speaker, H. Res. 566 is a resolution that is meant to send the message that we, the House of Representatives, are serious about protecting our Great Lakes and will not sit idly by and allow our Great Lakes water to be sold to foreign countries.

This resolution was originally introduced last spring after the Province of Ontario in Canada approved a permit that allows the Nova Group, an Ontario-based company, to divert three billion liters of water from Lake Superior over the next five years and sell it to Asia.

After considerable public outcry against this proposal, the Ministry of the Environment of Ontario announced that the permit issued to the Nova Group would be canceled.

Recently, however, the Nova Group asked the Ontario environmental appeal board to overturn the decision withdrawing the permit and to allow it to proceed with its bid to export fresh water to several Asian countries. Hearings are scheduled on the permit for this fall.

Allowing the diversion of billions of liters of water from the Great Lakes would create dangerous consequences for the Great Lakes region and the United States.

This permit could open the door for additional water diversion opportunities, putting the waters of all the Great Lakes on the world market.

This could lead to larger scale diversions of water in the future that could have adverse effects on the environment, economy, and welfare of the Great Lakes region.

H. Res. 566 calls on the President and the Senate to prevent the sale or diversion of Great Lakes water to foreign countries until it is possible to fully negotiate this proposal and its implications.

Mr. Speaker, we could literally be opening up Pandora's box with the sale of Great Lakes water to foreign countries. We cannot afford to turn our Great Lakes into a tradable commodity.

We must pass this legislation and send the message to Canada that our Great Lakes are not for sale to foreign countries.

I'd like to thank Chairman GILMAN, Mr. HAMILTON, Chairman GALLEGLY, and Mr. ACKERMAN for their help on this matter. I would especially like to thank Mr. LATOURETTE of Ohio and Mr. BONIOR of Michigan for their leadership on this issue.

I urge my colleagues to support this nonbinding resolution.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AFRICA: SEEDS OF HOPE ACT OF 1998

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4283) to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Africa: Seeds of Hope Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and declaration of policy.
TITLE I—ASSISTANCE FOR SUB-SAHARAN AFRICA
Sec. 101. Africa Food Security Initiative.
Sec. 102. Microenterprise assistance.
Sec. 103. Support for producer-owned cooperative marketing associations.
Sec. 104. Agricultural and rural development activities of the Overseas Private Investment Corporation.
Sec. 105. Agricultural research and extension activities.
TITLE II—WORLDWIDE FOOD ASSISTANCE AND AGRICULTURAL PROGRAMS
Subtitle A—Nonemergency Food Assistance Programs
Sec. 201. Nonemergency food assistance programs.
Subtitle B—Bill Emerson Humanitarian Trust Act of 1998
Sec. 211. Short title.
Sec. 212. Bill Emerson Humanitarian Trust Act.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Report.

SEC. 2. FINDINGS AND DECLARATION OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The economic, security, and humanitarian interests of the United States and the nations of sub-Saharan Africa would be enhanced by sustainable, broad-based agricultural and rural development in each of the African nations.

(2) According to the Food and Agriculture Organization, the number of undernourished people in Africa has more than doubled, from approximately 100,000,000 in the late 1960s to 215,000,000 in 1998, and is projected to increase to 265,000,000 by the year 2010. According to the Food and Agriculture Organization, the term ''under nutrition'' means inadequate consumption of nutrients, often adversely affecting children's physical and mental development, undermining their future as productive and creative members of their communities.

(3) Currently, agricultural production in Africa employs about two-thirds of the workforce but produces less than one-fourth of the gross domestic product in sub-Saharan Africa, according to the World Bank Group.

(4) African women produce up to 80 percent of the total food supply in Africa according to the International Food Policy Research Institute.

(5) An effective way to improve conditions of the poor is to increase the productivity of the agricultural sector. Productivity increases can be fostered by increasing research and education in agriculture and rural development.

(6) In November 1996, the World Food Summit set a goal of reducing hunger worldwide by 50 percent by the year 2015 and encouraged national governments to develop domestic food plans and to support international aid efforts.

(7) Although the World Bank Group recently has launched a major initiative to support agricultural and rural development, only 10 percent, or $1,200,000,000, of its total lending to sub-Saharan Africa for fiscal years 1993 to 1997 was devoted to agriculture.

(8)(A) United States food processing and agricultural sectors benefit greatly from the liberalization of global trade and increased exports.

(B) Africa represents a growing market for United States food and agricultural products. Africa's food imports are projected to rise from less than 8,000,000 metric tons in 1990 to more than 25,000,000 metric tons by the 2020.

(9)(A) Increased private sector investment in African countries and expanded trade between the United States and Africa can greatly help African countries achieve food self-sufficiency and graduate from dependency on international assistance.

(B) Development assistance, technical assistance, and training can facilitate and encourage commercial development in Africa, such as improving rural roads, agricultural research and extension, and providing access to credit and other resources.

(10)(A) Several United States private voluntary organizations have demonstrated success in empowering Africans through direct business ownership and helping African agricultural producers more efficiently and directly market their products.

(B) Rural business associations, owned and controlled by farmer shareholders, also greatly help agricultural producers to increase their household incomes.

(b) DECLARATION OF POLICY.—It is the policy of the United States, consistent with title XII of part I of the Foreign Assistance Act of 1961, to support governments of sub-Saharan African countries, United States and African nongovernmental organizations, universities, businesses, and international agencies, to help ensure the availability of basic nutrition and economic opportunities for individuals in sub-Saharan Africa, through sustainable agriculture and rural development.

TITLE I—ASSISTANCE FOR SUB-SAHARAN AFRICA

SEC. 101. AFRICA FOOD SECURITY INITIATIVE.

(a) ADDITIONAL REQUIREMENTS IN CARRYING OUT THE INITIATIVE.—In providing development assistance under the Africa Food Security Initiative, or any comparable or successor program, the Administrator of the United States Agency for International Development—

(1) shall emphasize programs and projects that improve the food security of infants, young children, school-age children, women and food-insecure households, or that improve the agricultural productivity, incomes, and marketing of the rural poor in Africa;

(2) shall solicit and take into consideration the views and needs of intended beneficiaries and program participants during the selection, planning, implementation, and evaluation phases of projects;

(3) shall favor countries that are implementing reforms of their trade and investment laws and regulations in order to enhance free market development in the food processing and agricultural sectors; and

(4) shall ensure that programs are designed and conducted in cooperation with African and United States organizations and institutions, such as private and voluntary organizations, cooperatives, land-grant and other appropriate universities, and local producer-owned cooperative marketing and buying associations, that have expertise in addressing the needs of the poor, small-scale farmers, entrepreneurs, and rural workers, including women.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, if there is an increase in funding for sub-Saharan programs, the Administrator of the United States Agency for International Development should proportionately increase resources to the Africa Food Security Initiative, or any comparable or successor program, for fiscal year 2000 and subsequent fiscal years in order to meet the needs of the countries participating in such Initiative.

SEC. 102. MICROENTERPRISE ASSISTANCE.

(a) BILATERAL ASSISTANCE.—In providing microenterprise assistance for sub-Saharan Africa, the Administrator of the United States Agency for International Development shall, to the extent practicable, use credit and microcredit assistance to improve the capacity and efficiency of agriculture production in sub-Saharan Africa of small-scale farmers and small rural entrepreneurs. In providing assistance, the Administrator should use the applied research and technical assistance capabilities of United States land-grant universities.

(b) MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall continue to work with other countries, international organizations (including multilateral development institutions), and entities assisting microenterprises and shall develop a comprehensive and coordinated strategy for providing microenterprise assistance for sub-Saharan Africa.

(2) ADDITIONAL REQUIREMENT.—In carrying out paragraph (1), the Administrator should encourage the World Bank Consultative Group to Assist the Poorest to coordinate the strategy described in such paragraph.

SEC. 103. SUPPORT FOR PRODUCER-OWNED COOPERATIVE MARKETING ASSOCIATIONS.

(a) PURPOSES.—The purposes of this section are—

(1) to support producer-owned cooperative purchasing and marketing associations in sub-Saharan Africa;

(2) to strengthen the capacity of farmers in sub-Saharan Africa to participate in national and international private markets and to promote rural development in sub-Saharan Africa;

(3) to encourage the efforts of farmers in sub-Saharan Africa to increase their productivity and income through improved access to farm supplies, seasonal credit, technical expertise; and

(4) to support small businesses in sub-Saharan Africa as they grow beyond microenterprises.

(b) SUPPORT FOR PRODUCER-OWNED COOPERATIVE MARKETING ASSOCIATIONS.—

(1) ACTIVITIES.—

(A) IN GENERAL.—The Administrator of the United States Agency for International Development is authorized to utilize relevant foreign assistance programs and initiatives for sub-Saharan Africa to support private producer-owned cooperative marketing associations in sub-Saharan Africa, including rural business associations that are owned and controlled by farmer shareholders.

(B) ADDITIONAL REQUIREMENTS.—In carrying out subparagraph (A), the Administrator—

(i) shall take into account small-scale farmers, small rural entrepreneurs, and rural workers and communities; and

(ii) shall take into account the local-level perspectives of the rural and urban poor through close consultation with these groups, consistent with section 496(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(e)(1)).

(2) OTHER ACTIVITIES.—In addition to carrying out paragraph (1), the Administrator is encouraged—

(A) to cooperate with governments of foreign countries, including governments of political subdivisions of such countries, their agricultural research universities, and particularly with United States nongovernmental organizations and United States land-grant universities, that have demonstrated expertise in the development and promotion of successful private producer-owned cooperative marketing associations; and

(B) to facilitate partnerships between United States and African cooperatives and private businesses to enhance the capacity and technical and marketing expertise of business associations in sub-Saharan Africa.

SEC. 104. AGRICULTURAL AND RURAL DEVELOPMENT ACTIVITIES OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) PURPOSE.—The purpose of this section is to encourage the Overseas Private Investment Corporation to work with United States businesses and other United States entities to invest in rural sub-Saharan Africa, particularly in ways that will develop the capacities of small-scale farmers and small rural entrepreneurs, including women, in sub-Saharan Africa.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Overseas Private Investment Corporation should exercise its authority under law to undertake an initiative to support private agricultural and rural development in sub-Saharan Africa, including issuing loans, guaranties, and

insurance, to support rural development in sub-Saharan Africa, particularly to support intermediary organizations that—

(A) directly serve the needs of small-scale farmers, small rural entrepreneurs, and rural producer-owned cooperative purchasing and marketing associations;

(B) have a clear track-record of support for sound business management practices; and

(C) have demonstrated experience with participatory development methods; and

(2) the Overseas Private Investment Corporation should utilize existing equity funds, loan and insurance funds, to the extent feasible and in accordance with existing contractual obligations, to support agriculture and rural development in sub-Saharan Africa.

SEC. 105. AGRICULTURAL RESEARCH AND EXTENSION ACTIVITIES.

(a) DEVELOPMENT OF PLAN.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of Agriculture and appropriate Department of Agriculture agencies, especially the Cooperative State, Research, Education and Extension Service (CSREES), shall develop a comprehensive plan to coordinate and build on the research and extension activities of United States land-grant universities, international agricultural research centers, and national agricultural research and extension centers in sub-Saharan Africa.

(b) ADDITIONAL REQUIREMENTS.—Such plan shall seek to ensure that—

(1) research and extension activities will respond to the needs of small-scale farmers while developing the potential and skills of researchers, extension agents, farmers, and agribusiness persons in sub-Saharan Africa;

(2) sustainable agricultural methods of farming will be considered together with new technologies in increasing agricultural productivity in sub-Saharan Africa; and

(3) research and extension efforts will focus on sustainable agricultural practices and will be adapted to widely varying climates within sub-Saharan Africa.

TITLE II—WORLDWIDE FOOD ASSISTANCE AND AGRICULTURAL PROGRAMS

Subtitle A—Nonemergency Food Assistance Programs

SEC. 201. NONEMERGENCY FOOD ASSISTANCE PROGRAMS.

(a) IN GENERAL.—In providing nonemergency assistance under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.), the Administrator of the United States Agency for International Development shall ensure that—

(1) in planning, decisionmaking, and implementation in providing such assistance, the Administrator takes into consideration local input and participation directly and through United States and indigenous private and voluntary organizations;

(2) each of the nonemergency activities described in paragraphs (2) through (6) of section 201 of such Act (7 U.S.C. 1721), including programs that provide assistance to people of any age group who are otherwise unable to meet their basic food needs (including feeding programs for the disabled, orphaned, elderly, sick and dying), are carried out; and

(3) greater flexibility is provided for program and evaluation plans so that such assistance may be developed to meet local needs, as provided for in section 202(f) of such Act (7 U.S.C. 1722(f)).

(b) OTHER REQUIREMENTS.—In providing assistance under the Agriculture Trade Development and Assistance Act of 1954, the Secretary of Agriculture and the Administrator of United States Agency for International Development shall ensure that commodities are provided in a manner that is consistent with sections 403 (a) and (b) of such Act (7 U.S.C. 1733 (a) and (b)).

Subtitle B—Bill Emerson Humanitarian Trust Act of 1998

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''Bill Emerson Humanitarian Trust Act of 1998''.

SEC. 212. BILL EMERSON HUMANITARIAN TRUST ACT.

(a) IN GENERAL.—Section 302 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by inserting ''OR FUNDS'' after ''COMMODITIES'';

(B) in paragraph (1)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) funds made available under paragraph (2)(B) which shall be used solely to replenish commodities in the trust.''; and

(C) in paragraph (2) by striking subparagraph (B) and inserting the following:

''(B) FUNDS.—Any funds used to acquire eligible commodities through purchases from producers or in the market to replenish the trust shall be derived—

''(i) with respect to fiscal years 2000 through 2002 from funds made available to carry out the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) that are used to repay or reimburse the Commodity Credit Corporation for the release of eligible commodities under subsections (c)(2) and (f)(2), except that, of such funds, not more than $20,000,000 may be expended for this purpose in each of the fiscal years 2000 through 2002; and

''(ii) from funds authorized for that use by an appropriations Act.'';

(2) in subsection (c)(2)—

(A) by striking ''ASSISTANCE.—Notwithstanding'' and inserting the following: ''ASSISTANCE.—

''(A) IN GENERAL.—Notwithstanding''; and

(B) by adding at the end the following:

''(B) LIMITATION.—The Secretary may release eligible commodities under subparagraph (A) only to the extent such release is consistent with maintaining the long-term value of the trust.'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) subject to the need for release of commodities from the trust under subsection (c)(1), for the management of the trust to preserve the value of the trust through acquisitions under subsection (b)(2).''; and

(4) in subsection (f)—

(A) in paragraph (2), by inserting ''OF THE TRUST'' after ''REIMBURSEMENT'' in the heading; and

(B) in paragraph (2)(A), by inserting ''and the funds shall be available to replenish the trust under subsection (b)'' before the end period.

(b) CONFORMING AMENDMENTS.—

(1) Title III of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 et seq.) is amended by striking the title heading and inserting the following:

''TITLE III—BILL EMERSON HUMANITARIAN TRUST''.

(2) Section 301 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 note) is amended to read as follows:

''SEC. 301. SHORT TITLE.

''This title may be cited as the 'Bill Emerson Humanitarian Trust Act'.''.

(3) Section 302 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1) is amended—

*(A) in the section heading, by striking ''**reserve**'' and inserting ''**trust**'';*

(B) by striking ''reserve'' each place it appears (other than in subparagraphs (A) and (B) of subsection (b)(1)) and inserting ''trust'';

(C) in subsection (b)—

(i) in the subsection heading, by striking ''RESERVE'' and inserting ''TRUST'';

(ii) in paragraph (1)(B), by striking ''reserve,'' and inserting ''trust,''; and

(iii) in the paragraph heading of paragraph (2), by striking ''RESERVE'' and inserting ''TRUST''; and

(D) in the subsection heading of subsection (e), by striking ''RESERVE'' and inserting ''TRUST''.

(4) Section 208(d)(2) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4001(d)(2)) is amended by striking ''Food Security Commodity Reserve Act of 1996'' and inserting ''Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1 et seq.)''.

(5) Section 901b(b)(3) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241f(b)(3)), is amended by striking ''Food Security Wheat Reserve Act of 1980 (7 U.S.C. 1736f–1)'' and inserting ''Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1 et seq.)''.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REPORT.

Not later than 6 months after the date of enactment of this Act, the Administrator of the United States Agency for International Development, in consultation with the heads of other appropriate agencies, shall prepare and submit to Congress a report on how the Agency plans to implement sections 101, 102, 103, 105, and 201 of this Act, the steps that have been taken toward such implementation, and an estimate of all amounts expended or to be expended on related activities during the current and previous 4 fiscal years.

Mr. GILMAN (during the reading). Mr. Speaker I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

Mr. MENENDEZ. Mr. Speaker, reserving the right to object, and I do not intend to object, but under my reservation, I yield to the distinguished gentleman from Nebraska (Mr. BEREUTER).

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this legislation. It is well-supported in both houses of Congress.

Mr. Speaker, the Africa Seeds of Hope Act (H.R. 4383 was originally sponsored by this Member with the support and assistance of the distinguished gentleman from Indiana (Mr. HAMILTON) and many other Members from both sides of the aisle, including Chairman BEN GILMAN. This legislation is non-controversial legislation with strong bipartisan support in the House and Senate, tremendous grassroots support throughout the nation, and support from the Administration including the United States Department of Agriculture. It previously passed the House on voice vote on September 28, 1998. The Senate passed it this morning with very modest changes, which have bipartisan support in the House. The changes include deletion of some findings clauses and a sunset provision for the Bill Emerson Humanitarian Trust. The sunset provision, added at the request of the Senate

Budget Committee, insures that the operation and funding of this food aid trust will be revisited in the next farm bill.

Mr. Speaker, as the sponsor of this legislation, this Member would like to make clear that Section 212 of this legislation is a mechanism to enable USDA to fill the Bill Emerson Humanitarian Trust with funds or commodities that represent repayments to the Commodity Credit Corporation. The intent of this section is to enable USDA to use the $20 million annual limit in funds or commodities to fill the trust and use it in times of emergencies. Therefore, 212(a) is an annual limitation only on inflows to the trust (capped at $20 million annually) while outflows from the trust have no annual limitation and can equal the cumulative amount of the trust in any one year.

The Africa Seeds of Hope Act (H.R. 4283) was introduced by this Member on July 21, 1998, with the support of the distinguished gentleman from Indiana, the Ranking Democrat on the House International Relations Committee (Mr. HAMILTON). It is the successor bill to H.R. 3636, which was introduced on April 1, 1998. Because of some confusion regarding the two bills, this Member regrets that a few Members of Congress who wanted to be listed as a co-sponsor of H.R. 4283 were not added prior to the House passage of this legislation. Therefore, this Member would like to recognize that the distinguished gentleman from Massachusetts (Mr. DELAHUNT) strongly supported this legislation and would have liked to have been added as a co-sponsor.

This legislation was overwhelmingly passed by the House Committee on International Relations on July 22, 1998, and it was discharged by the House Committee on Agriculture on September 11, 1998.

The Africa Seeds of Hope Act helps U.S. agriculture while promoting sustainable development in Sub-Saharan Africa so Africans can be less dependent on U.S. humanitarian assistance in the future. That is why H.R. 4283 has the support of both agricultural and humanitarian organizations and the United States Department of Agriculture. This win-win combination of grass roots supporters has been the foundation of America's long-term, good-will building, humanitarian food aid efforts since World War II.

Mr. Speaker, the predominant organization responsible for stimulating the creation and support for this legislation is the organization Bread for the World, a nondenominational Christian organization led by Rev. David Beckmann.

The Africa Seeds of Hope Act has been endorsed by over 220 agricultural and humanitarian organizations including: the Association for International Agriculture and Rural Development (AIARD), the Coalition for Food Aid, numerous land grant colleges, InterAction and major U.S. private voluntary agencies such as CARE, World Vision, ACDI/VOCA, Catholic Relief Services, Technoserve, Africare, OXFAM, Islamic African Relief Agency USA, and the Mormon World Hunger Committee. In addition, this legislation has the support of most Christian denominations, Catholic religious communities, and mission groups. And, editorial pages from over twenty major newspapers across the country have endorsed H.R. 4283.

Mr. Speaker, a recent article in the Washington Post entitled ''Africa's Agricultural Rebirth'' quoted a Vice-Minister of Agriculture from Ethiopia as saying ''You cannot detach economic development from food self-sufficiency.'' That profound truth is the essence of the Africa Seeds of Hope Act.

There may be some people who believe or give the impression they believe that an admittedly very important trade liberalization effort alone can remedy all of Africa's woes. And, equally wrongheaded are some in the non-governmental organization community who initially expressed their opposition to trade liberalization, saying it would only hurt Africa's poor. The Africa Seeds of Hope Act bridges these disparate and unnecessarily conflicting ideological points of view with a reconciling view. That view is that liberalized trade plus targeted foreign assistance to Africa's small farmers, together, can best help Sub-Saharan Africa prosper.

Several months ago, with this Member's support, the House of Representatives passed the African Trade Growth and Opportunities Act. In doing so, the House took the very important step toward greater trade with a continent in desperate need of private-sector led economic growth. By focusing on sustainable agriculture, research, rural finance, and food security, the Africa Seeds of Hope Act is directly aimed at helping the 76 percent of the Sub-Sharan African people who are small farmers thus providing another important step towards increased African trade. Improving the efficiency of these farmers is crucial to ensuring that our overall trade strategy is successful. As a longtime supporter of aid to Africa through the creation of the Development Fund for Africa and other mechanisms, this Member will tell his colleagues that this Member believes H.R. 4283—in conjunction with any new Africa trade initiatives—will help coordinate and focus America's resources on both trade and aid in Africa.

If trade is to prosper in Sub-Saharan Africa, we need to better direct our scarce aid resources so that they stimulate private sector investment or help ease the suffering in those places either overlooked by the private sector or suffering from natural disasters. Our legislation attempts to refine our assistance programs for Sub-Saharan Africa and ensure that agriculture and rural development are not neglected. For example, this legislation requires the Agency for International Development (AID) to reverse its negative funding trend for international agricultural research and development. This will address the legitimate concern of U.S. land grant institutions that the Agency for International Development was increasingly ignoring sustainable agriculture in its development mandate. Also, the micro-enterprise program is recognized by this legislation and emphasized as an excellent tool to help remedy rural finance and investment shortcoming in Sub-Saharan Africa.

Moreover, H.R. 4283 attempts to better coordinate our international agricultural research programs with our domestic agricultural research so that farmers in Africa, as well as farmers in the United States, can benefit from AID funded agricultural research. The Africa Seeds of Hope Act refocuses our food assistance programs on long-term development assistance instead of being evaluated on the basis of short-term or immediate results that are often antithetical to their original purpose. This will enable non-governmental organizations and private voluntary organizations to design and implement food assistance programs that are cost-effective and ultimately succeed in graduating people and countries from those programs.

Finally, H.R. 4283 also establishes a Bill Emerson Humanitarian Trust in honor of the late, distinguished and much admired Congressman from Missouri who was a leader on America's food aid efforts. This important mechanism allows the United States Department of Agriculture to purchase surplus agricultural commodities when prices are low, isolate them from the market, and distribute them at times of international disasters and famines. This cost-effective mechanism is especially beneficial to U.S. farmers because it takes U.S. commodities off of the market when commodity prices are at their lowest, such as now. The Bill Emerson Humanitarian Trust is a worthy tribute to our late colleague, and this Member would like to thank the distinguished gentlewomen from Missouri (Mrs. EMERSON) for allowing us to further honor her late husband in this manner.

Finally, this Member would like to thank the distinguished gentlewoman from California (MAXINE WATERS), the distinguished gentlewoman from Georgia (CYNTHIA MCKINNEY) and the distinguished gentlewoman from North Carolina (EVA CLAYTON) for their special effort with the Congressional Black Caucus on behalf of the Africa Seeds of Hope Act. And this Member would like to thank the distinguished woman from Connecticut (NANCY JOHNSON) and the distinguished women from the District of Columbia (ELEANOR HOLMES NORTON) for their work with the Congressional Woman's Caucus on behalf of this legislation.

In conclusion Mr. Speaker, the Africa Seeds of Hope Act is legislation that benefits farmers in Africa as well as the United States.

Mr. MENENDEZ. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, this is a very significant measure. I rise in support of the measure, and I thank the gentleman from Nebraska (Mr. BEREUTER) for bringing it to the floor at this time.

Mr. MENENDEZ. Mr. Speaker, I would be happy to further add my voice of support.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

IRAN NUCLEAR PROLIFERATION PREVENTION ACT OF 1998

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the bill (H.R. 4851) to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. MENENDEZ. Mr. Speaker, reserving the right to object, and I do not intend to object, but I want to thank the distinguished chairman of the Committee on International Relations for assisting us in bringing this bill to the floor today, and also the gentleman from Indiana (Mr. HAMILTON) and the leadership of both parties for agreeing to bring this important bill to the floor by unanimous consent.

The bill sends a strong message to Iran about its efforts to develop nuclear weapons, but, most importantly, the bill keeps U.S. taxpayer dollars from being spent on Iranian nuclear power reactors whose completion is supported by the IAEA and one day could help Iran develop nuclear technology to make a nuclear weapon to be aimed at the U.S. or its allies.

Mr. Speaker, I yield to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to commend the gentleman from New Jersey, Mr. MENENDEZ, for his perseverance on this important legislation. This bill is similar to H.R. 3743, which was favorably reported by the Committee on International Relations, and then passed by the House on August 3, 1998, by a vote of 405–13.

Notwithstanding the overwhelming House vote, it is my understanding that the Senate opposed portions of H.R. 3743. This new bill modifies those portions of the bill and should now enjoy the support of the Senate.

This legislation amends current law to ensure that the U.S. does not provide funding for the completion of nuclear power reactors in Iran.

We all know that the Iranians have dedicated significant resources to completing at least 3 nuclear power plants by 2015 and are now working with Russian assistance to complete the Bushehr nuclear power plant. The U.S. has opposed the completion of the reactors at the Bushehr facility because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

Between 1995 and 1999 it is expected that the International Atomic Energy Agency (IAEA) will have provided over $1.5 million for the Iranian nuclear power program through its Technical Assistance and Cooperation Fund. The U.S. provides annual voluntary contributions to this fund totally $16 million in 1996.

This bill does not halt our voluntary contribution to the IAEA. But it does require that none of our monies may be used to fund IAEA programs and projects in Iran unless the Secretary of State certifies that such projects are consistent with U.S. nuclear non-proliferation and safety goals and will not provide Iran with training or expertise relevant to the development of weapons.

This is exactly the right policy. The U.S. should not voluntarily provide funding which would help Iran complete nuclear power reactors that could assist them in developing their nuclear weapons program which could pose a threat to the U.S. or its allies.

The bill also establishes two reporting requirements. One will provide the Congress with a comprehensive report on IAEA assistance to Iran. The second requirement directs the Secretary of State to review IAEA programs and ensure that they are consistent with U.S. nuclear non-proliferation and safety goals. Based on that review, the Secretary shall direct the U.S. representative to the IAEA to oppose establishing any programs that is not consistent with U.S. policy.

Accordingly, I urge my colleagues to support this bill.

Mr. MENENDEZ. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4851

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 ''Iran Nuclear Proliferation Prevention Act of 1998''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Iran remains the world's leading sponsor of international terrorism and is on the Department of State's list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, which are responsible for terrorist attacks against Israel.

(3) Iranian officials have stated their intent to complete at least three nuclear power plants by 2015 and are currently working to complete the Bushehr nuclear power plant located on the Persian Gulf coast.

(4) The United States has publicly opposed the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

(5) In an April 1997 hearing before the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations of the Senate, the former Director of the Central Intelligence Agency, James Woolsey, stated that through the operation of the nuclear power reactor at the Bushehr nuclear power plant, Iran will develop substantial expertise relevant to the development of nuclear weapons.

(6) Construction of the Bushehr nuclear power plant was halted following the 1979 revolution in Iran because the former West Germany refused to assist in the completion the plant due to concerns that completion of the plant could provide Iran with expertise and technology which could advance Iran's nuclear weapons program.

(7) Iran is building up its offensive military capacity in other areas as evidenced by its recent testing of engines for ballistic missiles capable of carrying 2,200 pound warheads more than 800 miles, within range of strategic targets in Israel.

(8) In January 1995 Iran signed a $780,000,000 contract with the Russian Federation for Atomic Energy (MINATOM) to complete a VVER–1000 pressurized-light water reactor at the Bushehr nuclear power plant.

(9) In March of 1998, Russia confirmed its intention to complete work on the two reactors at the Bushehr nuclear power plant and agreed in principle to the construction of two more reactors at the Bushehr site.

(10) At least one reactor could be operational within a few years and it would subsequently provide Iran with substantial expertise to advance its nuclear weapons program.

(11) Iran ranks tenth among the 105 nations receiving assistance from the technical cooperation program of the International Atomic Energy Agency.

(12) Between 1995 and 1999, the International Atomic Energy Agency has provided and is expected to provide a total of $1,550,000 through its Technical Assistance and Cooperation Fund for the Iranian nuclear power program, including reactors at the Bushehr nuclear power plant.

(13) The United States provides annual contributions to the International Atomic Energy Agency which total more than 25 percent of the annual assessed budget of the Agency and the United States also provides annual voluntary contributions to the Technical Assistance and Cooperation Fund of the Agency which total approximately 32 percent ($16,000,000 in 1996) of the annual budget of the program.

(14) The United States should not voluntarily provide funding for the completion of nuclear power reactors which could provide Iran with substantial expertise to advance its nuclear weapons program and potentially pose a threat to the United States or its allies.

(15) Iran has no need for nuclear energy because of its immense oil and natural gas reserves which are equivalent to 9.3 percent of the world's reserves and Iran has 73,000,000,000 cubic feet of natural gas, an amount second only to the natural gas reserves of Russia.

SEC. 3. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR PROGRAMS AND PROJECTS IN IRAN.

Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) is amended by adding at the end the following:

''(d) Notwithstanding subsection (c), the limitations of subsection (a) shall apply to programs and projects of the International Atomic Energy Agency in Iran, unless the Secretary of State makes a determination in writing to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate pursuant to section 4(a)(1) of the Iran Nuclear Proliferation Prevention Act of 1998, that such programs and projects are consistent with United States nuclear nonproliferation and safety goals and will not provide Iran with training or expertise relevant to the development of nuclear weapons.''.

SEC. 4. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) IN GENERAL.—The Secretary of State shall undertake a comprehensive annual review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and shall determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary shall prepare and submit to the

Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary under the review conducted under subsection (a)(1) to be inconsistent with nuclear nonproliferation and safety goals of the United States.

SEC. 5. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report that—

(1) describes the total amount of annual assistance to Iran from the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred to Iran from the Agency in the preceding year which could assist in the development of Iran's nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 7. SENSE OF THE CONGRESS.

It is the sense of the Congress that the United States Government should pursue internal reforms at the International Atomic Energy Agency that will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIBUTE TO LEN SWINEHART AND KERRY KNOTT

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, I want to rise for just a moment to call the Members' attention to several members of the leadership staff who are leaving and to point out that when we look at the complexity of this institution, at how many different things have to work in order for us to be successful, that the very hard work of our staff members is a key part of how this institution works, whether it is our personal staff or committee staff or in the case of leadership, members of the leadership staff.

In my case, I am rising tonight to recognize Len Swinehart, who is celebrating today his 50th birthday and spent the last two weeks totally immersed in helping the appropriations process and finishing up the budget agreement with the President. Len has served here since 1976, when he came as a special assistant to Representative Harold Sawyer of Michigan. He went on from there to be administrative assistant to Vin Weber and then to become the deputy minority staff director on the House Committee on the Budget, and then became my floor assistant when I was the whip and finally floor assistant to me as Speaker. He has worked in particular on budget and appropriations matters.

Let me just say that Len has had a tremendous impact on this institution. I remember in particular working with him during the budget summit of 1990 as we tried to deal with issues that were very complex and where his background from the Committee on the Budget was invaluable. He has since played a major role both on budget and appropriations matters and in working with David Hobbs in trying to manage from the leadership's perspective what happens on the floor on a day-to-day basis. He has a tremendous record of service to the American people.

Because he came here a good while back, he is in a position to leave us and retire on his 50th birthday, and I just want him to know we are going to miss him and that we know that he is taking with him an institutional knowledge and awareness of this place that is truly quite remarkable.

□ 2015

I think it is particularly appropriate that he is having his 50th birthday today as we are passing a bill into which he poured so much time and effort and in which he worked with the appropriations staff in a very effective way.

So Len, we will miss you.

If I might take a moment of my time and yield to the distinguished majority leader.

Mr. ARMEY. Mr. Speaker, I thank the Speaker for yielding.

Mr. Speaker, let me share the gentleman's sentiments about Len Swinehart. We have had the privilege of working with Len on so many very difficult, and sometimes it seems arcane, provisions of the rules. His knowledge, his experience, his understanding of the history of the institution and the precedence on which we could draw has always been invaluable to us in working out these complex problems, and we will truly miss Len.

In addition to that, Mr. Speaker, I would like to acknowledge the imminent departure from our leadership staff of my chief of staff, Kerry Knott. I first became acquainted with Kerry Knott in 1983. In 1983 he was a young idealist that wanted to be involved in politics and wanted to do it for the best of all reasons: to improve the quality of this Nation and to accede the government in service to the future of our children and our grandchildren. Through all of these years we have worked together, he has never changed.

I was laughing about that as I thought this morning, and I have said it many, many times, that there is always a danger when one comes to work in the government that one may come here as a young idealist and leave here as an old cynic. Kerry has defied the odds on both accounts. He came here as a young idealist and he leaves here as a young idealist. He will leave here I am sure satisfied in his own mind and heart, as I am, that each and every moment he spent in this town was a moment when service to his country was more important to him than any other consideration.

We see two fine young people who have done good service to this Nation leaving our ranks. We will miss them sorely, and if I may add on a very personal note, I will miss Kerry Knott not only as a working colleague, but as a personal friend. As he leaves me as a colleague, I hope to retain him as a friend.

Mr. GINGRICH. Mr. Speaker, reclaiming my time, let me also comment, because I had the opportunity to work with Kerry. He became in the years when we were in the minority our chief planner and he, working with Dan Meyer and Len Swinehart, developed the transition plan which was a multi-volume loose leaf document which enabled us to actually take over the House in 1995, and to move into the 100 days, 93 days, as he used to remind us, and pass the entire Contract With America, with one exception. Kerry did an outstanding job of planning. We are going to miss him. It may be a sad commentary in our years of experience that we regard Kerry Knott and Len Swinehart as young men, but I think we will work on that later on.

Anyway, I want to just say again, not just to these two fine members of the leadership staff, but sometimes when government courses are taught, people should realize that behind every Member there is a team, a staff that is working to serve their constituency; behind every issue there are staff members who specialize in that topic. For every committee there are professional staffs working all year-round; and for the leadership on either side, Democrat or Republican to function, there have to be leadership staff members who do an outstanding job.

Finally, sitting here in front of us and gathered all around us is the House staff which as an institution makes it possible for this very complex and remarkable institution to represent the will of 260 million Americans. So let me just say as we are closing out this particular Congress, I want to thank each and every member of every staff in both parties and the House institutional staff, for the dedication, the discipline, and the hours of professionalism they put in to serve their country,

because they truly make it possible for the rest of us to do our jobs.

Mr. ARMEY. Mr. Speaker, if the gentleman will yield for one final observation, Kerry, Len, look at the two of us. Before the Speaker and I met you, we did not have a gray hair between us. Thank you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CAMP). Pending possible further business, and by unanimous consent, the Chair will entertain 1 minutes.

DEFINING AN IMPEACHABLE OFFENSE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, over the last several weeks, the American people have rightly asked, what is an impeachable offense? When the framers used the term ''high crimes and misdemeanors,'' they were using a 600-year-old term that did not appear in criminal law. A high crime and misdemeanor does not have to be a crime or a misdemeanor.

Impeachable offenses are not necessarily criminal acts. Supreme Court Justice Joseph Story wrote that offenses growing out of, ''personal misconduct must be examined upon very broad and comprehensive principles of public policy and duty.'' In other words, misconduct can be an impeachable offense. An impeachable offense may be anything that is dishonorable, like abuse of power, obstructing justice or lying under oath.

In conclusion, Abraham Lincoln once made a statement. He said, ''You can fool some of the people all of the time, you can even fool all of the people some of the time, but you can never fool all of the people all of the time.''

He made that statement in a place called Clinton, Illinois.

TRIBUTE TO U.S. SENATOR DALE BUMPERS

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, I rise today to honor a man who has been a great leader and statesman for the State of Arkansas and for this country, United States Senator DALE BUMPERS. Senator BUMPERS will retire this year after 24 years in the U.S. Senate. A native of Arkansas, Senator BUMPERS has been active in community affairs most of his life, serving as city attorney, school board president, and president of the Chamber of Commerce. His service defines the term, public servant.

Senator BUMPERS served the people of Arkansas from 1970 to 1974 as our governor. He trimmed the number of State agencies, doubled the number of State parks, launched an initiative to double the number of doctors trained at Arkansas' only medical school. He helped to build more and better State highways and improved our educational system.

There are so many good things in the State of Arkansas that would not be there if it were not for Senator DALE BUMPERS. The world is a better place because Senator BUMPERS has served. Arkansas and America are better places. With Senator BUMPERS' retirement comes the loss of one of Arkansas' finest public servants and a good friend to all those who have had the pleasure of work with him. I wish Senator BUMPERS and his wife, Betty, much health, happiness and success in the years to come.

ACCOMPLISHMENTS OF THE 105TH CONGRESS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, as we end the 105th Congress, I think it is very important to understand that for the first time in a generation, Congress is about to adjourn with a budget surplus. When Republicans took control of this body, such an achievement would have seemed impossible. But for the first time in 16 years, this Congress gave the American people a tax cut. One could only wonder if tax cuts would have become a reality had the Republicans not taken control.

Through the Tax Code Termination Act, this Republican-led Congress gave a promise to the American public that we will develop a fair, simpler and more honest tax system. It was this Republican-led Congress that provided a more accountable Internal Revenue Service which now places the burden of proof on the IRS rather than on the taxpayer in tax disputes.

Furthermore, this body made a promise to our Nation's seniors, and we are working to save and secure Social Security well into the future. So when my colleagues on the other side of the aisle want to tell us that this is a do-nothing Congress, know that they are right. We did nothing to fulfill their agenda. We did not raise taxes, we did not increase budgetary red ink, and we did not ignore IRS abuses. Along with the American people I am proud that we did not follow the liberals and their 40-year controlled agenda of tax hikes and bigger government.

JUSTICE FOR PEDRO OREGON

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I join my fellow elected officials in asking for an official investigation into the killing of Pedro Oregon. Pedro Oregon was a 22-year-old father of two young daughters. He had never been in trouble with the law, and Pedro was a dedicated landscaping employee who played on the local men's soccer team and even tutored those who wanted to learn soccer. He was killed by local law enforcement officers with 12 shots to the back. There were no drugs or alcohol found in Mr. Oregon, and as well, no search warrant was there. No gun of his was fired. I think it is important that we recognize the value of lives of Americans.

Mr. Oregon was an immigrant. He was part of the immigrant community, but he was a hard-working person, seeking to find his rightful place in America. This tragic and terrible situation has cast a blight on the harmonious community that we are trying to engage in in our neck of the woods.

Mr. Speaker, I would hope that the Attorney General would quickly investigate and determine whether the violations have occurred and violated Mr. Oregon's civil rights and find justice not only for his two young daughters, his wife, his mother, his sister, but all of the immigrant community in Houston, Texas.

NATIONAL SECURITY TOP CONCERN FOR 106TH CONGRESS

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, not too many months ago this Congress created a commission to examine the threat of distribution of weapons of mass destruction, and specifically, the development of ballistic missile technology to rogue countries and to lesser developed countries. That commission, a bipartisan commission of some of the most distinguished Americans in the area of defense, security and intelligence, has unanimously made its recommendations to the Congress.

I know that Members will be busy the next several weeks, but I urge them to look at the executive summary or the full report which has been presented to their offices. I think this report is chillingly important. It suggests to us that our assumptions in the administration were very faulty when it comes to the amount of time, the difficulty that countries will have in securing ballistic missile systems and weapons of mass destruction. We have, they tell us, far underestimated the opportunity to buy or to acquire technology for that purpose.

Mr. Speaker, I urge Members to look at this report. It is one of the most important items of information being brought to our attention on national security for many years. It is up to my colleagues to examine this and to try to have an impact on the future Congress, the 106th Congress.

COMMENDING THE PEOPLE OF MOZAMBIQUE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 610) expressing the sense of the House of Representatives that the people of the Republic of Mozambique are to be commended for their commitment to rebuilding their nation after years of civil war, their willingness to live together harmoniously despite sharp political differences, and their ability to overcome poverty, health crises, and refugee outflows to build a growing economy and a positive future for their country, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Ms. MCKINNEY. Mr. Speaker, reserving the right to object, although I do not intend to object, I would like to thank the chairman, the gentleman from New York (Mr. GILMAN) and the gentleman from Georgia (Mr. GINGRICH) and the Democratic leadership for bringing this bill to the floor. This bill makes note of the positive relationship between our country and that of Mozambique and commends Mozambique for its progress in democratization and respect for human rights.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. BEREUTER. Mr. Speaker, reserving the right to object, and I will not object, but I yield to the gentleman from New York (Mr. GILMAN), the chairman of the committee, for any comments that he might wish to make.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this measure for deserving Mozambique. The gentlewoman from Georgia (Ms. MCKINNEY), a member of our committee, has done us a service by bringing these issues before us. The people of Mozambique have overcome obstacles that many of us could never imagine. Thirty years of war, grinding poverty and continued disruption of normal life.

□ 2030

According to the U.N., at least one-third of the 17 million people in Mozambique were forced to flee their homes as refugees or as internally eternally displaced persons.

In the best of times, Mr. Speaker, Mozambique is one of the poorest nations in the world. Estimates indicate a per capita income of $80 per year. Mozambique's civil war ended in 1992. In 1994 Mozambique held its first democratic elections, which were judged to be free and fair, and which benefited from the participation of the opposition.

Mr. Speaker, the people of Mozambique, like their neighbors in South Africa, stand as a model of political reconciliation. Other troubled regions of the world should look to the manner in which the Mozambique people have put away their political and other differences and have worked together to build a better future for their families.

Despite its many hurdles, Mozambique now boasts one of the world's fastest growing economies, having grown at 8 percent last year. Democracy is once again thriving in Mozambique, with both the government and the opposition working for a representative parliament and military.

Mr. Speaker, I want to thank the gentlewoman from Georgia (Ms. MCKINNEY) for bringing this issue before us. I urge my colleagues to support the resolution. I thank the gentleman from Nebraska (Mr. BEREUTER) for his role in this.

Mr. BEREUTER. Mr. Speaker, under my reservation of objection, I want to thank the gentleman from New York (Mr. GILMAN) and the gentlewoman from Georgia (Ms. MCKINNEY) for their support for this legislation. I announce my support for it.

Mr. Speaker, I withdraw my resolution of objection.

The SPEAKER pro tempore (Mr. CAMP). Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 610

Whereas the Republic of Mozambique suffered from armed conflict for 30 years, first against Portuguese colonialism and then a brutal civil war between the FRELIMO government and RENAMO rebels;

Whereas up to one-third of Mozambique's 17,000,000 people were forced to flee their homes as refugees or internal displaced persons as a result of the civil war;

Whereas the two sides to the civil conflict reached a peace accord in 1992 and democratic elections were held in 1994 with the participation of all major political groups;

Whereas both the government of President Joachim Alberto Chissano and opposition parties have participated positively in Mozambique's representative democracy;

Whereas both the government and the opposition have made considerable strides in building a defense force that is representative of the Mozambican people;

Whereas Mozambique has rejected its communist economic policies, embraced free market principles, privatized many state enterprises, encouraged foreign investment and now enjoys one of Africa's highest economic growth rates at 8 percent per year; and

Whereas Mozambique is a fertile market for United States investment and trade: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the achievements of the Mozambican people in overcoming political and economic obstacles to become a model of reconciliation and development;

(2) applauds those who have led Mozambique toward political reconciliation and away from armed conflict;

(3) commends the people of Mozambique for continuing to support democracy and democratic institutions;

(4) calls upon United States Government agencies to continue to work with their Mozambican counterparts in forging a close bilateral relationship;

(5) calls on the Government of Mozambique to continue to be a model of democracy, economic liberalization, and respect for human rights; and

(6) calls those nations in the world torn by civil strife to look toward the example of Mozambique for the benefits of political reconciliation and peaceful economic development.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

WHY WOULD THE PRESIDENT SHUT THE GOVERNMENT DOWN OVER A ROAD BYPASS IN SOUTHERN OHIO?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. BURR) is recognized for 5 minutes.

Mr. BURR of North Carolina. Mr. Speaker, I knew the administration was throwing its weight around on the budget agreement, but I simply could not believe it when I read in yesterday's USA Today that the President of the United States was willing to shut the Federal Government down over a road bypass in the State of Ohio.

So I tried to find out what all the fuss was about. I learned that there was a provision in the Omnibus budget bill that would have helped southern Ohio leverage existing State and Federal dollars, and I stress, existing, to fund six high-priority Appalachian Ohio projects. Even better, the so-called highway redesignation did not cost one dime more. We are talking about no money involved in this provision.

Then I find out that this particular highway provision has the full support of the Ohio Governor, George Voinovich; the Ohio Department of Transportation; local elected officials in 30 community and business groups across southern Ohio. So I asked myself, why was the White House willing to shut the Federal Government down on a highway designation that helped southern Ohio?

Apparently, Mr. Speaker, the White House has a political reason for opposing this small highway provision and threatening a government shutdown. I have a copy here of the actual letter from Erskine Bowles, the Chief of Staff of the President, to our Speaker stating pointblank that the President would shut down the government over this one small Ohio highway provision.

Mr. Speaker, I just cannot understand why this White House is willing to play such high-stakes political hardball over a simple Ohio bypass.

SOME REAL VICTORIES IN THE OMNIBUS APPROPRIATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I have been told that budgets are about priorities, where the taxpayers' money should be spent, and where the goals and objectives which we hope to accomplish can be approached in an effort to meet them.

The $500 billion omnibus appropriation bill which we just passed and I voted for contains funding for many of our governmental agencies which provide a glimmer of hope for the poor, elderly, and disinherited of our society. While this bill is not picture perfect, it does in fact contain some real victories for many people throughout America.

The defense appropriation is too high, but we fought off attempts to cut the summer jobs program for disadvantaged youth. They now have hope again. We resisted attempts to cut low-income home energy assistance programs. Now seniors and others on fixed incomes will not have to choose between staying warm in the winter or buying food to eat. When the hawk comes to the windy city, to Chicago, and the wind off Lake Michigan drops temperatures to zero, 5, 10, and 15 degrees below, low-income people will have some help to try and keep warm.

We prevailed in getting $1.1 billion as a down payment for 100,000 new teachers, which means that we will be able to reduce class size. Unfortunately, we did not get the money needed for school construction, which absolutely makes no sense, because what is the use in having teachers if we do not have schools?

The bill contains a significant amount of money for health care, which pleases me greatly. The $100 million increase for federally qualified community health centers will go a long way toward serving the large number of uninsured Americans in rural and inner city communities.

It has $10.6 billion for the National Institutes of Health budget, which provides much needed money for medical research; $110 million to address HIV-AIDS in the African American community; $1.4 billion for the Ryan White AIDS program, and $105 million for the Healthy Start program.

This bill also contains needed funding for education: $1.2 billion as a down payment to reduce class size; $125 million for the school-to-work opportunities programs, which help ease the transition from school to work; $600 million for TRIO funding; $995 million for adult job training, which would fund about 386,000 participants.

But in reality, this bill is a testament to the will of the American people, who have indicated that they place substance over rhetoric, and that they appreciate real leadership.

I commend my colleagues, and I commend President Clinton for his political acumen and skill in orchestrating this compromise. It is good for my district, and it is good for America.

AMERICA'S VULNERABILITY TO BALLISTIC MISSILE ATTACK

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, I have come before this body over 150 times to talk to my colleagues and the American public about what I see are some of the important issues that this country faces.

Oftentimes my colleagues on the other side have repeatedly accused the Republicans of leading a ''do-nothing'' Congress. In one sense, I am very sorry to report that they are correct. This Congress has done nothing about our Nation's vulnerability to ballistic missile attack. Congress has failed to begin building a national missile defense system, a failure that is so inexcusable I will have to agree with my liberal Democratic colleagues, at least on this one point.

The United States has a policy of deliberately remaining vulnerable to a missile attack. Instead of building a national missile defense system, we place our faith in a piece of paper called the ABM Treaty. Our national security depends, therefore, on tyrants, dictators, and international thugs to respect that piece of paper.

Does anyone really believe that Saddam Hussein cares that we have signed an ABM treaty, a treaty with a country that no longer exists? Does anyone really believe that Mu'ammar Qadhafi will think twice about threatening the United States because we have signed the ABM treaty? Did Osama bin Laden reconsider his terrorist strikes against our embassies in Kenya and Tanzania because we are signatories to the ABM Treaty?

What good will the ABM treaty be against the Islamic bombs, weapons which will soon be in the hands of rogue nations whose citizens demonstrate against the great Satan by burning the American flag? Did North Korea step back from launching missiles into Japanese territory because America has signed an arms control agreement with a country that no longer exists?

Mr. Speaker, this policy of deliberate vulnerability is dangerous, it is foolish, and it is counterproductive. What is also strange is that we already have a technology to deploy a missile defense system. The U.S. Navy's Aegis cruisers are equipped with the technology that can be converted into a national missile defense system at a minimal expense. The Navy has already spent billions of dollars perfecting the state-of-the-art system, and it defies logic to prevent that system from being developed to end our vulnerability to a missile strike.

I do not understand why the other side refuses to take dangerous threats seriously. Must we always be surprised when the threat is upon us? How many times in history must we learn the hard way? How many more examples of rogue nations threatening the United States do we need to have before we wake up to the threats? Must the United States squander the technological edge that it has built up over the years with billions and billions of dollars for the sake of a meaningless arms control agreement?

Mr. Speaker, although we have, in the recently passed budget, approximately $1 billion for some antiballistic missile research and development, the American people expect more. They deserve more, and failure to do so is a violation of the public trust.

I might remind my friends on the other side of the aisle that the preamble to the Constitution declares to all the world that ''We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, and provide for the common defense.''

Let us stop there, and provide for the common defense of this Nation, Mr. Speaker. Failure to build a national missile defense system immediately is a failure to provide for the common defense of America. Every single person in America will know it, but will they know it far too late to take advantage of it?

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CLOSING THOUGHTS

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as Speaker Newt Gingrich made his remarks in discussing the omnibus budget that we just passed, he asked the question, what we would have done if we had not passed this legislation. Frankly, I agree with him that this was a must-do situation. But it was not a situation that could not have been done differently. And frankly, those of us who voted for this legislation clearly recognized that the process was faulty, that what might have been totally best for the American people was not concluded because of the haste in which we had to work.

I am, of course, concerned with many issues that impact my district. And frankly, we have made some progress on this omnibus bill. I am glad that homeless youth in Texas will have an additional $300,000 as given to Covenant House, Texas, and I am glad of the work of the appropriators with my offers to secure these dollars for that very worthy cause, to bring young homeless people into a clean and secure place in order to get them back on track.

I will be able to tell my housing authority, where some 25,000 people remain on a waiting list for housing, that

over the two-year period we will be able to apply for some 100,000 section 8 vouchers that help most of all the working poor move throughout the community in stable neighborhoods, to raise their children with support from our housing authority. Mr. Speaker, that is good.

I heard my colleague mention the LIHEAP funds dealing with providing support for seniors who are in need of supplement for cold weather. But let me tell you how much we needed it in Texas when a heat wave of national disaster level plagued our State and killed over 100 people, many of whom were seniors. We were able to secure some $3 million also to assist in that crisis. And so we have restored, Democrats, the money that was gutted out of the labor, HHS. That is an important and needed resource for our seniors across this Nation.

Frankly, Mr. Speaker, we had a vigorous debate on the census. I believe that the results were positive for what this country will ultimately recognize that it needs, an accurate census count in the year 2000. The State of Texas lost 400,000 plus in the 1990 census because of an inaccurate count. We lost 65,000 in Houston alone. Those were predominantly minorities, Hispanics and African Americans. We now have the ability to use sampling, the statistical method until June of 1999. I hope that we will prevail on this process, for it is shameful that we would look not to count every single person within this Nation.

We just faced a terrible rain and flooding situation in Houston, and I am delighted that a project that we have been working on collectively as members of the Texas delegation and individually, in particular my district, the 18th congressional district, the Sims Bayou project will receive some $12 million. Work has already begun. But we will now see for the Army Corps of Engineers to move this along and move it along for the citizens along that bayou to live in their neighborhoods with a quality of life not in fear of every raindrop that comes our way. And I might say that Houston gets a lot of raindrops.

I am not happy, Mr. Speaker, however, with the constant fighting over the NEA funds although we did fund it. I am calling now for all of our arts associations and organizations across the Nation to be assured that we work for the fight to protect the NEA.

As I close, Mr. Speaker, let me say that I will continue to fight for our home health care agencies so that we will have them in our community, and children's mental health. I am most proud of the $5 million extra dollars that we have secured through our hard work to protect and help rehabilitate our children suffering from mental disabilities.

Mr. Speaker, we have a long way to go, but we did do what we needed to do today. We answered the Speaker's question, what would we do if we did not pass this bill. We passed it for America, but yet we are challenged to come back here and do more for education and do more for our seniors and do more for our children.

ACCOMPLISHMENTS OF THE 105TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FOX) is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight to address my colleagues and to highlight the accomplishments of this 105th Congress.

For the first time since 1969, Mr. Speaker, we have a balanced budget, a balanced budget which means lower interest rates for all of our families, when it comes to their mortgage, when it comes to car expense and when it comes to student loans.

And what is the biggest dividend from a balanced budget, Mr. Speaker, has been the fact that we now have a budget surplus. After 40 years of excessive spending, we now have a budget surplus. This year alone we are talking about 71 billion. Over the next 10 years we are speaking about $1.6 trillion dollars. That is the American taxpayers' money, most of which, under the Republican-led plans, will go to shore up Social Security. A much lesser amount is actually needed, but this is to make sure that Social Security is secure for many years to come and also make sure the following takes place: We take Social Security off budget; we roll back the 1993 tax on Social Security; we increase the income that seniors can earn without deductions from Social Security from 30,000, under our proposal to $39,000 a year.

We have also taken important steps to save Medicare, the health care program for our seniors. Under this program we have done two major things, Mr. Speaker. One, we have increased the penalties for those who would abuse Medicare, health care fraud, whatever provider they may be. If they would, in fact, abuse Medicare, they would no longer be providers and would be subject to penalties. Beyond that, we have five new health care prevention programs for our senior citizens under Medicare. We have the annual mammograms, the annual Pap smears, the annual prostate cancer screening, the annual colorectal cancer screenings and as well osteoporosis screening and the diabetes screening.

On IRS reform, what grade strides we have made here. The Republican-led House and Senate have done the very thing that I was requesting in my legislation to shift the burden of proof. Instead of the IRS commissioner being presumed correct and we guilty as taxpayers, we have shifted it. It is now assumed that the taxpayer is presumed correct and the IRS commissioner has the burden of going forward to prove otherwise.

FDA reform, we have now speeded up the approval for life-saving drugs and medical devices signed into law by the President. I was proud to do my part to move this legislation forward to help people live longer and better while waiting for a cure or vaccine.

On education, the Republican-led Congress has given an additional $500 million over the President's amount for special ed. Increased funding for the Women, Infants and Children program, our school nutrition programs, increased funding for Head Start, for the vocational education program, for charter schools. But the most significant program was one that came from the gentleman from Pennsylvania (Mr. PITTS). This program says more dollars to the classroom and less money for bureaucrats; 95 percent of all dollars must go back to schools to use as they see fit, more teachers, new classrooms, maybe new computers, whatever each school district wants. This ensures that every every new school has an additional $90,000, even more funds for each school district.

It also would do something for higher ed. Our legislation says we are going to increase the loans and grants for college students, highest ever Pell grants and our lowest interest rate in 17 years.

Yes, America is on the move because of a bipartisan Congress, led by Republicans, to make sure we made a difference in people's lives for working families, for seniors and for our young people. We made a real positive difference.

I am looking forward to working together with my colleagues as we move forward to make sure America is stronger and American is better.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

The following Members (at the request of Mr. NORWOOD) to revise and extend their remarks and include extraneous material:

Mr. BURR of North Carolina, for 5 minutes, today.

Mr. GIBBONS, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 109. An act to provide Federal housing assistance to Native Hawaiians; to the Committee on Banking and Financial Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 538. An act to authorize the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District, and for other purposes.

S. 744. An act to authorize the construction of the Fall River Water Users District Rural Water System and authorize financial assistance to the Fall River Water Users District, a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes.

S. 1260. An act to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1722. An act to amend the Public Health Service Act to revise and extend certain programs with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention.

S. 2364. An act to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965.

S. 2524. An act to codify without substantive change laws related to Patriotic and National Observances, Ceremonies, and Organizations and to improve the United States Code.

ADJOURNMENT

Mr. FOX of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.) the House adjourned until Wednesday, October 21, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

11758. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Mexican Fruit Fly Regulations; Addition of Regulated Area [Docket No. 98–082–2] received October 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11759. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Veterinary Diagnostic Services User Fees [Docket No. 94–115–2] (RIN: 0579–AA70) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11760. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Validated Brucellosis-Free States; South Carolina [Docket No. 98–101–1] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11761. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; Mississippi [Docket No. 98–097–1] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11762. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Importation of Horses [Docket No. 95–054–3] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11763. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Fresh Bartlett Pears Grown in Oregon and Washington; Decreased Assessment Rate [Docket No. FV98–931–1 IFR] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11764. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate [Docket No. FV98–906–1 FIR] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11765. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Partial Exemption From the Handling Regulation for Producer Field-Packed Tomatoes [Docket No.FV98–966–2 IFR] received October 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11766. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Apricots Grown in Designated Counties in Washington; Change in Container Regulations [Docket No. FV98–922–1 FIR] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11767. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado; Decreased Assessment Rate [Docket No. FV98–948–1 FIR] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11768. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Domestic Dates Produced or Packed in Riverside County, CA; Increased Assessment Rate [Docket No. FV98–987–1 FR] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11769. A letter from the the Director, the Office of Management and Budget, transmitting Cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 105—328); to the Committee on Appropriations and ordered to be printed.

11770. A letter from the Director, Washington Headquarters Services, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); TRICARE Prime Balance Billing (RIN: 0720–AA46) received October 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

11771. A letter from the The Chairmen, Board of Governors of the Federal Reserve System, Securities and Exchange Commission, transmitting a Report to the Congress on the Markets for Small Business and Commercial Mortgage Related Securities; to the Committee on Banking and Financial Services.

11772. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States or any political subdivision thereof, on a reimbursable basis, and for other purposes; to the Committee on Banking and Financial Services.

11773. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7696] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11774. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Safety and Soundness Standards [Docket No. 98–13] (RIN: 1557–AB67) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11775. A letter from the Federal Register Liaison Officer Alternate, Office of Thrift Supervision, transmitting the Office's final rule—Transactions with Affiliates; Reverse Repurchase Agreements—received October 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11776. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Interagency Guidelines Establishing Year 2000 Standards for Safety and Soundness (RIN: 1550–AB27) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11777. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting Rehabilitation Training: Rehabilitation Long-Term Training, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

11778. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Rehabilitation Long-Term Training—received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11779. A letter from the Assistant Secretary of Labor for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Experienced Miner and Supervisor Training (RIN: 1219–AB13) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11780. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Technical Amendments of Rules Relating to Labor-Management Standards and Standards of Conduct for Federal Sector Labor Organizations; Correction (RIN: 1215–AB22) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11781. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11782. A letter from the Secretary of Education, transmitting the Department's final rule—Title I—Helping Disadvantaged Children Meet High Standards (RIN: 1810–AA89) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11783. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Radio Broadcasting Services; Arcadia & Ellington, MO, Carbondale, IL & Tiptonville, TN [MM Docket No. 97–168; RM–9103 and RM–9182] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11784. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Florida [FL–065–9623a; FRL–6167–4] received October 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11785. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan for South Dakota; Revisions to the Air Pollution Control Program [SD–001–0002a; FRL–6175–4] received October 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11786. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Time-limited Pesticide Tolerance [OPP–300744; FRL–6037–8] (RIN: 2070–AB78) received October 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11787. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Withdrawal of Final Rule [PA122–4078a; FRL–6178–2] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11788. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plan, Texas: Recodification of Regulations to Control Lead Emissions from Stationary Sources [TX90–1–7360a; FRL–6160–2] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11789. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Lead; Fees for Accreditation of Training Programs and Certification of Lead-based Paint Activities Contractors; Withdrawal of Final Rule [OPPTS–62158B; FRL–6040–1] (RIN: 2070–AD11) received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11790. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Request for Delegation of the Accidental Release Prevention Requirements: Risk Management Programs Under Clean Air Act Section 112(r)(7): State of Florida [FRL–6166–9] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11791. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Pleans; Reasonably Available Control Technology for Oxides of Nitrogen for Specific Sources in the State of New Jersey [Region 2 Docket No. NJ32–183a, FRL–6174–5] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11792. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Alaska: Partial Program Adequacy Final Determination of State Class I and II Municipal Solid Waste Landfill Permit Program—and Partial Program Adequacy Tentative Determination of State Class III Municipal Solid Waste Landfill Permit Program [FRL–6177–6] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11793. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; 30–Day Notices and 135–Day PMA Supplement Review [Docket No. 98N–0168] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11794. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Industrial Radiography Licenses—received October 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11795. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed transfer of major defense equipment from the Government of the United Kingdom to the Government of Sri Lanka [Transmittal No. RSAT–4–98], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

11796. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the President's determination that he has exercised the authority granted him under Section 451(a)(1) of the Foreign Assistance Act of 1961, as amended, to provide assistance to The Netherlands for the trial of suspects in the Pan Am 103 bombing case [PD 98–40], pursuant to 22 U.S.C. 2261(a)(2); to the Committee on International Relations.

11797. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea [Transmittal No. DTC 138–98], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

11798. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Switzerland [Transmittal No. DTC 142–98], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

11799. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada [Transmittal No. DTC 103–98], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

11800. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting copy of the President's Determination 98–37, that it is vital to U.S. national security interests to provide a supplementary contribution to the Korean Peninsula Energy Development Organization (''Kedo''), pursuant to 22 U.S.C. 2364(a)(2); to the Committee on International Relations.

11801. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Clarification of Reporting Requirements under the Wassenaar Arrangement [Docket No. 980814218–8218–01] (RIN: 0694–AB724) received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11802. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Request for Comments on Effects of Foreign Policy-Based Export Controls [Docket No. 980922243–8243–01] received October 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11803. A letter from the Interim District of Columbia Auditor, District of Columbia, transmitting a copy of a report entitled ''Statutory Audit of the District's Depository Activities for Fiscal Years 1996 and 1997,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform and Oversight.

11804. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Procurement List; Additions and Deletions—received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

11805. A letter from the Chairman, Consumer Product Safety Commission, transmitting a copy the report of the Consumer Product Safety Commission in compliance with the Government in the Sunshine Act during the calendar year 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

11806. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Reform of Affirmative Action in Federal Procurement [FAC 97–08; FAR Case 97–004C] (RIN: 9000–AH59) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

11807. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 1998, through September 30, 1998 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 105–327); to the Committee on House Oversight and ordered to be printed.

11808. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of offshore lease revenues where a refund or recoupment is appropriate, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

11809. A letter from the Assistant Secretary, Land and Mineral Management, Department of the Interior, transmitting the Department's final rule—Grazing Administration; Alaska; Reindeer; General [WO–420–1050–00–24] (RIN: 1004–AD06) received October 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11810. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Atlantic Bluefin Tuna General Category [I.D. 091198A] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11811. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Swordfish Fishery; South Atlantic Quotas; Quota Adjustment Procedures [Docket No. 980527137–8237–02; I.D. 121597D] (RIN: 0648–AL24) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11812. A letter from the Acting Deputy Assistant Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule—Fisheries of the Exclusive Economic Zone Off Alaska; License Limitation Program [Docket No. 970703166–8209–04; I.D. 060997A3] (RIN: 0648–AH65) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11813. A letter from the Director, Office Of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Atlantic Bluefin Tuna Fishery; Inseason Adjustment; Closure [Docket No. 980320071–8128–02; I.D. 080698A] received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11814. A letter from the Assistant Administrator, NOS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Funds Availability for the Southeast Bering Sea Carrying Capacity (SEBSCC) Project [Docket No. 980805207–8207–01] (RIN: 0648–ZA47) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11815. A letter from the General Counsel, National Science Foundation, transmitting the Foundation's final rule—Conservation of Antarctic Animals and Plants (RIN: 3145–AA34) received September 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11816. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ended June 30, 1997 and December 31, 1997, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

11817. A letter from the Acting Assistant Secretary, Assistant Secretary of Defense, transmitting a report on the payment of claims to certain persons captured and interned by North Vietnam; to the Committee on the Judiciary.

11818. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to assist law enforcement in the apprehension of fugitives from justice; to the Committee on the Judiciary.

11819. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Interim Procedures For Certain Health Care Workers [INS 1879–97] (RIN: 1115–AE73) received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11820. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Suspension of Deportation and Cancellation of Removal [EOIR No. 1241; AG Order No. 2182–98] (RIN: 1125–AA25) received October 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11821. A letter from the Senior Attorney, Federal Register Certifying Officer, Financial Management Service, transmitting the Service's final rule—Salary Offset (RIN: 1510–AA70) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11822. A letter from the Chairman, United States Sentencing Commission, transmitting Telemarketing Fraud Offenses: Explanation of Recent Guideline Amendments; to the Committee on the Judiciary.

11823. A letter from the Secretary of Transportation, transmitting the annual report on the Status of the Public Ports of the United States for Calendar Years 1996–1997, pursuant to 49 U.S.C. 308(c); to the Committee on Transportation and Infrastructure.

11824. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Qualification of Drivers; Exemption Applications; Vision [FHWA Docket No. FHWA–98–3637] received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11825. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes [Docket No. 98–CE–63–AD; Amendment 39–10836; AD 98–21–28] (RIN: 2120–AA64) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11826. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bob Fields Aerocessories Inflatable Door Seals [Docket No. 98–CE–88–AD; Amendment 39–10844; AD 98–21–21] (RIN: 2120–AA64) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11827. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mooney Aircraft Corporation Models M20J, M20K, M20M, and M20R Airplanes [Docket No. 98–CE–47–AD; Amendment 39–10834; AD 98–21–26] (RIN: 2120–AA64) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11828. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Jetstream Models 3101 and 3201 Airplanes [Docket No. 98–CE–28–AD; Amendment 39–10833; AD 98–21–25] (RIN: 2120–AA64) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11829. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes [Docket No. 98–NM–74–AD; Amendment 39–10838; AD 98–21–30] (RIN: 2120–AA64) received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11830. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Menomonie, WI [Airspace Docket No. 98–AGL–45] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11831. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Orr, MN [Airspace Docket No. 98–AGL–47] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11832. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Two Harbors, MN [Airspace Docket No. 98–AGL–43] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11833. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Granite Falls, MN [Airspace Docket No. 98–AGL–46] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11834. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Park Falls, WI [Airspace Docket No. 98–AGL–44] received October 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11835. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Source of Income From Sales of Inventory Partly From Sources Within a Possession of the United States; Also, Source of Income Derived From Certain Purchases From a Corporation Electing Section 936 [TD 8786] (RIN: 1545–AU79) received October 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means. Q02

11836. A letter from the Secretary of the Treasury, transmitting a report on the taxation of Social Security and Railroad Retirement Benefits in calendar year 1993, pursuant to 42 U.S.C. 401 nt.; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. House Resolution 605. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–826). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ARCHER (for himself, Mr. RANGEL, Mr. CRANE, Mr. MATSUI, Mr. SHAW, Mr. RAMSTAD, Mr. DEUTSCH, Mr. HASTINGS of Florida, Mrs. THURMAN, and Mrs. MEEK of Florida):

H.R. 4856. A bill to make miscellaneous and technical changes to various trade laws, and for other purposes; to the Committee on Ways and Means.

By Mr. HORN (for himself, Mr. WAXMAN, Mr. SESSIONS, Mr. SUNUNU, and Mr. KANJORSKI):

H.R. 4857. A bill to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILMAN (for himself, Mr. RANGEL, Mr. COX of California, Mr. HASTERT, Mr. MENENDEZ, Mr. DREIER, Mr. SPENCE, Mr. HYDE, Mr. BURTON of Indiana, and Mr. MCCOLLUM):

H.R. 4858. A bill to provide certain benefits to Panama if Panama agrees to permit the United States to maintain military bases there after December 31, 1999; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself and Mr. BROWN of California):

H.R. 4859. A bill to improve the ability of Federal agencies to license federally owned inventions; to the Committee on Science, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAESLER:

H.R. 4860. A bill to amend the Violence Against Women Act of 1994 to establish a national domestic violence victim notification system; to the Committee on the Judiciary.

By Mr. BARR of Georgia:

H.R. 4861. A bill to nullify the effect of certain provisions of various Executive orders; to the Committee on International Relations.

By Mr. CARDIN:

H.R. 4862. A bill to amend title XVIII of the Social Security Act to guarantee that Medicare beneficiaries enrolled in MedicareChoice plans offering prescription drug coverage have access to a Medigap policy that offers similar prescription drug coverage in the event the MedicareChoice plan terminates service in the area in which the beneficiary resides; to the Committee on Commerce.

By Mr. CONDIT (for himself and Mr. JOHN):

H.R. 4863. A bill to ensure the incorporation of risk assessment and cost benefit analysis in the rulemaking process; to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER:

H.R. 4864. A bill to provide grants to local educational agencies to allow such agencies to promote certain education initiatives; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mr. HALL of Texas, Mr. MANTON, Mr. TOWNS, Ms. FURSE, Mr. RODRIGUEZ, and Mr. LEWIS of Georgia):

H.R. 4865. A bill to allow taxpayers to designate contributions to charity on their return of tax and to establish the Checkoff for Charity Commission to ensure that such contributions are paid to the designated charities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSSELLA:

H.R. 4866. A bill to require the Federal Aviation Administration to address the aircraft noise problems of Staten Island, New York; to the Committee on Transportation and Infrastructure.

By Mr. GIBBONS (for himself and Mr. ENSIGN):

H.R. 4867. A bill to direct the Secretary of the Interior to convey certain public lands to the Town of Pahrump, Nevada, for use for a recreation complex; to the Committee on Resources.

By Mr. LAZIO of New York:

H.R. 4868. A bill to amend title 18, United States Code, to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 4869. A bill to amend the Federal Election Campaign Act of 1971 to prohibit all disbursements by foreign nationals in connection with campaigns for election for Federal, State, and local office, and for other purposes; to the Committee on House Oversight.

By Mr. LEACH (for himself, Mr. MCCOLLUM, Mrs. ROUKEMA, Mr. BAKER, Mr. LAZIO of New York, Mr. BACHUS, Mr. CASTLE, and Mr. SOLOMON):

H.R. 4870. A bill to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCRERY (for himself and Mr. JEFFERSON):

H.R. 4871. A bill to amend the Internal Revenue Code of 1986 to provide that interest on indebtedness used to finance the furnishing or sale of rate-regulated electric energy or natural gas in the United States shall be allocated solely to sources within the United States; to the Committee on Ways and Means.

By Mr. TOWNS (for himself, Mrs. MORELLA, Mr. MCDERMOTT, Mr. LOBIONDO, Mrs. LOWEY, Mr. CARDIN, Mr. LEVIN, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. KLINK, Mr. WYNN, Mr. SCHUMER, Mr. ABERCROMBIE, and Mrs. CAPPS):

H.R. 4872. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services, to provide for more equitable reimbursement rates for certified nurse-midwife services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN:

H.R. 4873. A bill to amend the Public Health Service Act to establish an Office of Autoimmune Diseases at the National Institutes of Health, and for other purposes; to the Committee on Commerce.

By Mr. SOLOMON:

H.J. Res. 138. A joint resolution appointing the day for the convening of the first session of the One Hundred Sixth Congress; pursuant to H.Res. 594; considered as having been passed.

By Mr. SOLOMON:

H. Con. Res. 353. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Fifth Congress; considered and agreed to.

By Mr. FRELINGHUYSEN (for himself, Mr. FRANKS of New Jersey, Mr. MEEHAN, Mr. MILLER of Florida, Mr. QUINN, Mr. BARRETT of Wisconsin, Mr. SUNUNU, Mr. BOEHLERT, Mr. NEUMANN, Mr. PAPPAS, Mr. SHAYS, Mrs. ROUKEMA, and Mr. UPTON):

H. Con. Res. 354. Concurrent resolution to correct the enrollment of H.R. 4328; to the Committee on House Oversight.

By Mr. SOLOMON:

H. Res. 606. A resolution providing for an organizational caucus or conference in the House of Representatives for the One Hundred Sixth Congress; pursuant to H.Res. 594; considered as having been adopted.

By Mr. SOLOMON:

H. Res. 607. A resolution providing for a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Sixth Congress; pursuant to H.Res. 594; considered as having been adopted.

By Mr. SOLOMON:

H. Res. 608. A resolution providing for a committee of two Members to be appointed by the House to inform the President; pursuant to H.Res. 594; considered as having been adopted.

By Mr. GILMAN (for himself, Mr. HAMILTON, and Mr. LANTOS):

H. Res. 609. A resolution expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru; to the Committee on International Relations.

By Ms. MCKINNEY:

H. Res. 610. A resolution expressing the sense of the House of Representatives that the people of the Republic of Mozambique are to be commended for their commitment to rebuilding their nation after years of civil war, their willingness to live together harmoniously despite sharp political differences, and their ability to overcome poverty, health crises, and refugee outflows to build a growing economy and a positive future for their country; to the Committee on International Relations. considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

402. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 78 memorializes the Congress of the United States to increase the amount of money being distributed to the states from the Leaking Underground Storage Tank Trust Fund; to the Committee on Commerce.

403. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution Number 41, memorializing the Congress of the United States to provide $5 million in federal funds for the next stage of project development, as noted hereinabove, for the Trans-Hudson/Midtown Corridor Management/Project Development Initiative in the report of the conference committee on House Resolution 2400, the reauthorization of the ''Intermodal Surface Transportation Efficiency Act''; to the Committee on Transportation and Infrastructure.

404. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution 48 memorializing the President and the Congress of the United States to remove the limitation on the number of persons who may have a medical savings account to permit funds in a medical savings account to be used to pay premiums on any employee's health care medical plan or provide that those health care plan premiums be otherwise deductible; to the Committee on Ways and Means.

405. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution #526 memorializing the Congress of the United States to appropriate at least $1.3 billion for fiscal year 1999–2000 and an advance appropriation of at least $1.3 billion for fiscal year 2000–2001 for the Low-Income Home Energy Assistance Program; jointly to the Committees on Commerce and Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 4 of the rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SCHUMER and Mr. RODRIGUEZ.

H.R. 74: Mr. FORD.
H.R. 616: Mr. SERRANO.
H.R. 880: Mr. JOHN.
H.R. 1061: Mrs. WILSON.
H.R. 1165: Mr. SERRANO.
H.R. 1299: Mr. BALLENGER.
H.R. 1378: Mr. LIVINGSTON.
H.R. 1441: Mr. RAMSTAD.
H.R. 1628: Mr. MCDERMOTT.
H.R. 1711: Mr. DELAY, Mr. MASCARA, and Mr. WISE.
H.R. 2273: Ms. HOLLEY of Oregon.
H.R. 2275: Mr. SHERMAN.
H.R. 2523: Mr. KILDEE.
H.R. 2704: Mr. FROST.
H.R. 2708: Mr. ROEMER.
H.R. 2758: Mr. DUNCAN, Mr. QUINN, and Mr. KANJORSKI.
H.R. 2914: Ms. DELAURO.
H.R. 3081: Mr. WALSH, Mr. FRANKS of New Jersey, and Mr. RODRIGUEZ.
H.R. 3134: Mr. CUMMINGS.
H.R. 3217: Mr. SMITH of New Jersey.
H.R. 3308: Mr. POMEROY.
H.R. 3568: Mr. SERRANO.
H.R. 3572: Mr. STRICKLAND.
H.R. 3667: Mr. WATT of North Carolina.
H.R. 3780: Mr. HAYWORTH and Ms. PELOSI.
H.R. 3794: Ms. SLAUGHTER.
H.R. 3802: Mr. RUSH.
H.R. 3814: Mr. LAFALCE.
H.R. 3835: Mr. STEARNS, Mr. HILL, Mr. HINOJOSA, Ms. KILPATRICK, Ms. DELAURO, and Mr. DIAZ-BALART.
H.R. 3870: Mrs. WILSON and Ms. HOOLEY of Oregon.
H.R. 3879: Mr. RAMSTAD and Mr. EVANS.
H.R. 3946: Mr. GILCHREST.
H.R. 3949: Mr. TAYLOR of Mississippi.
H.R. 3971: Ms. NORTON.
H.R. 4019: Mr. RODRIGUEZ.
H.R. 4035: Mr. BENTSEN and Mr. RUSH.
H.R. 4036: Mr. RUSH.
H.R. 4066: Mr. POSHARD, Mr. HILLIARD, Mrs. MINK of Hawaii, Mr. FRANK of Massachusetts, Mr. EVANS, Mr. SERRANO, Mr. MATSUI, and Ms. WOOLSEY.
H.R. 4135: Ms. JACKSON-LEE of Texas, Ms. CHRISTIAN-GREEN, Mr. SERRANO, Mr. CUMMINGS, and Mr. STOKES.
H.R. 4198: Ms. KAPTUR.
H.R. 4203: Mr. SKELTON.
H.R. 4291: Ms. LEE.
H.R. 4340: Mr. BARRETT of Wisconsin.
H.R. 4344: Mr. SISISKY, Mr. LAMPSON, and Mr. BOYLE.
H.R. 4362: Mr. BAESLER.
H.R. 4383: Mr. BOUCHER and Mr. SHADEGG.
H.R. 4467: Mr. MOAKLEY and Mr. FALEOMAVAEGA.
H.R. 4571: Mr. THOMPSON.
H.R. 4584: Mr. HILLIARD, Mr. STARK, and Mr. JACKSON of Illinois.
H.R. 4590: Mr. ROMERO-BARCELO and Mr. BOYD.
H.R. 4627: Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, and Mr. ACKERMAN.
H.R. 4634: Mr. TAUZIN.
H.R. 4653: Ms. BROWN of Florida.
H.R. 4663: Mr. SAM JOHNSON of Texas, Mr. HAYWORTH, and Mr. HERGER.
H.R. 4716: Mr. CAMPBELL, Mr. CUNNINGHAM, and Ms. ROYBAL-ALLARD.
H.R. 4717: Mr. CASTLE, Mr. NORWOOD, Mr. SESSIONS, Mr. DICKEY, Mr. ROEMER, Mr. RADANOVICH, Mr. BLUNT, and Mr. GILCHREST.
H.R. 4739: Mr. LEWIS of Georgia.
H.R. 4740. Mr. WELLER.
H.R. 4741. Mr. WELLER.
H.R. 4754. Mr. MCHUGH and Mr. WALSH.
H.R. 4762. Mr. FOX of Pennsylvania.
H.R. 4777. Mrs. MORELLA and Mr. MORAN of Virginia.
H.R. 4778: Mr. HAYWORTH and Mr. INGLIS of South Carolina.
H.R. 4804: Mr. STARK.
H.R. 4818: Mr. GUTIERREZ and Mr. SANDERS.
H.R. 4843: Ms. NORTON, Mr. DIXON, Mr. GUTIERREZ, Mr. THOMPSON, Mr. HINCHEY, Mr. BARRETT of Wisconsin, and Mr. CUMMINGS.
H. Con. Res. 52: Mr. TANNER.
H. Con. Res. 114: Mr. BUNNING of Kentucky.
H. Con. Res. 154: Ms. ESHOO.
H. Con. Res. 229: Mrs. CLAYTON.
H. Con. Res. 232: Mr. POSHARD.
H. Con. Res. 258: Mr. TALENT.
H. Con. Res. 347: Ms. HOOLEY of Oregon, Mr. BERMAN, and Ms. LEE.
H. Res. 359: Ms. ROYBAL-ALLARD.
H. Res. 483: Mr. VENTO and Ms. DELAURO.
H. Res. 603: Mr. GILMAN and Mr. SMITH of New Jersey.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 345: Mr. ROHRABACHER.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

83. The SPEAKER presented a petition of the city of San Jose, relative to a petition from the Mayor urging that the 1998 Water Resources Development Act (WRDA) be considered by the House of Representatives; to the Committee on Transportation and Infrastructure.

84. Also, a petition of the Legislative Research Commission, relative to the Balanced Budget Act of 1997 urging the United States Congress and the 42nd President of the United States, William Jefferson Clinton, to rescind provisions of the Balanced Budget Act of 1997 related to an interim payment system for Medicare home health services and to work jointly with the Health Care Financing Administration to develop any necessary amendments or changes in regulations in a manner which does not disrupt, interrupt or eliminate services to Medicare home health beneficiaries who are dependent on home health; jointly to the Committees on Ways and Means and Commerce.

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PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, TUESDAY, OCTOBER 20, 1998 No. 150

Senate

(Legislative day of Friday, October 2, 1998)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, our loving Father, three liberating assurances capture our thinking, calm our nerves, change our moods, and lift our spirits: You are on our side; You are by our side; You give us peace inside. It is wonderful to know that You are for us and not against us. Night and day, You are seeking to bless us. Even Your judgments are meant to bring us closer to You. We are never alone. Your presence gives us hope. You remind us that You are in charge, and that we can trust You. Thank You for the profound peace that results in our hearts. We realize that this artesian peace flows from Your indwelling Spirit. Suddenly, we feel something we know we cannot produce on our own. We are given the gift of patience with ourselves, others, and the processes of government. Thank You for setting us free to live each hour strengthened by Your power. Through our Lord and Savior. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader, the distinguished Senator from Montana, is recognized.

Mr. BURNS. I thank the Chair. It always helps the day to open the Senate under the gavel of our distinguished friend from South Carolina.

SCHEDULE

Mr. BURNS. Mr. President, today the Senate will begin a period of morning business until 11 a.m. Following morning business, the Senate is expected to begin debate in relation to the omnibus appropriations bill while awaiting House action on the measure early this evening.

There will be no rollcall votes during today's session of the Senate. The next rollcall vote, assuming one is still required on passage of the omnibus bill, is expected to occur at 9:30 a.m. on Wednesday, October 21st. All Members will be immediately notified when the exact voting schedule becomes available.

I thank my colleagues for their attention.

NOTICE

If the 105th Congress adjourns sine die on or before October 21, 1998, a final issue of the Congressional Record for the 105th Congress will be published on October 28, 1998, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through October 27. The final issue will be dated October 28, 1998, and will be delivered on Thursday, October 29.

If the 105th Congress does not adjourn until a later date in 1998, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Records@Reporters".

Members of the House of Representatives' statements may also be submitted electronically on a disk to accompany the signed statement and delivered to the Official Reporter's office in room HT–60.

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By order of the Joint Committee on Printing.

JOHN W. WARNER, *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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UNANIMOUS-CONSENT AGREEMENT—H.J. RES. 137

Mr. BURNS. Mr. President, I ask unanimous consent that when the Senate receives H.J. Res. 137, the 1-day continuing resolution, the resolution be considered read the third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CORRECTION OFFICERS HEALTH AND SAFETY ACT OF 1998

Mr. BURNS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2070, and the Senate then proceed to its immediate consideration.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2070) to amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

AMENDMENT NO. 3832

(Purpose: To provide a complete substitute)

Mr. BURNS. Senator HATCH has a substitute amendment at the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana (Mr. BURNS), for Mr. HATCH, proposes an amendment numbered 3832.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Correction Officers Health and Safety Act of 1998''.

SEC. 2. TESTING FOR HUMAN IMMUNODEFICIENCY VIRUS.

(a) IN GENERAL.—Chapter 301 of title 18, United States Code, is amended by adding at the end the following:

''§ 4014. Testing for human immunodeficiency virus

''(a) The Attorney General shall cause each individual convicted of a Federal offense who is sentenced to incarceration for a period of 6 months or more to be tested for the presence of the human immunodeficiency virus, as appropriate, after the commencement of that incarceration, if such individual is determined to be at risk for infection with such virus in accordance with the guidelines issued by the Bureau of Prisons relating to infectious disease management.

''(b) If the Attorney General has a well-founded reason to believe that a person sentenced to a term of imprisonment for a Federal offense, or ordered detained before trial under section 3142(e), may have intentionally or unintentionally transmitted the human immunodeficiency virus to any officer or employee of the United States, or to any person lawfully present in a correctional facility who is not incarcerated there, the Attorney General shall—

''(1) cause the person who may have transmitted the virus to be tested promptly for the presence of such virus and communicate the test results to the person tested; and

''(2) consistent with the guidelines issued by the Bureau of Prisons relating to infectious disease management, inform any person (in, as appropriate, confidential consultation with the person's physician) who may have been exposed to such virus, of the potential risk involved and, if warranted by the circumstances, that prophylactic or other treatment should be considered.

''(c) If the results of a test under subsection (a) or (b) indicate the presence of the human immunodeficiency virus, the Attorney General shall provide appropriate access for counselling, health care, and support services to the affected officer, employee, or other person, and to the person tested.

''(d) The results of a test under this section are inadmissible against the person tested in any Federal or State civil or criminal case or proceeding.

''(e) Not later than 1 year after the date of enactment of this section, the Attorney General shall issue rules to implement this section. Such rules shall require that the results of any test are communicated only to the person tested, and, if the results of the test indicate the presence of the virus, to correctional facility personnel consistent with guidelines issued by the Bureau of Prisons. Such rules shall also provide for procedures designed to protect the privacy of a person requesting that the test be performed and the privacy of the person tested.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 301 of title 18, United States Code, is amended by adding at the end the following new item:

''4014. Testing for human immunodeficiency virus.''.

(c) GUIDELINES FOR STATES.—Not later than 1 year after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services, shall provide to the several States proposed guidelines for the prevention, detection, and treatment of incarcerated persons and correctional employees who have, or may be exposed to, infectious diseases in correctional institutions.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 3832) was agreed to.

The bill (H.R. 2070), as amended, was considered read the third time and passed.

AFRICA: SEEDS OF HOPE ACT OF 1998

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4283, which is at the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4283) to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

AMENDMENT NO. 3833

(Purpose: To provide a substitute)

Mr. BURNS. Senator DEWINE has an amendment at the desk, and I ask for its consideration.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana (Mr. BURNS), for Mr. DEWINE, proposes an amendment numbered 3833.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 3833) was agreed to.

The bill (H.R. 4283), as amended, was considered read the third time and passed.

CONTROLLED SUBSTANCES TRAFFICKING PROHIBITION ACT

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 3633, which is at the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3633) to amend the Controlled Substances Import and Export Act to place limitations on controlled substances brought into the United States.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

Mr. LEAHY. Mr. President, H.R. 3633, ''The Controlled Substances Trafficking Prohibition Act,'' addresses a gap in our controlled substances laws. At present, people entering the United States from Mexico may bring up to a ninety-day supply of drug products into the country without a prescription, under the so-called ''personal use'' exemption. Many of these drug products are then illegally distributed within the United States.

Such abuses have increased dramatically in recent years, and there is a need to address this problem now. H.R. 3633 does this by limiting the personal use exemption in certain circumstances to 50 dosage units. But this is only a stopgap measure. What constitutes ''personal use'' is a complicated issue that will turn on a number of circumstances, including the nature of the controlled substance and the medical needs of the individual. It is the sort of issue that should be addressed not through single-standard

legislation but through measures regulations passed by an agency with expertise in the matter. For this reason, I believe that we will have to take this issue up again next year, to direct the Department of Justice to study the problems at our borders and to pass regulations that are more finely-tuned to address those problems. In the meantime, H.R. 3633 will help to stem the tide of illegal importations of controlled drugs, which pose dangers to Americans when illegally distributed and used.

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill appear at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 3633) was considered read the third time and passed.

AMENDING THE FOREIGN SERVICE ACT OF 1980

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 633, which was received from the House.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 633) to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 633) was considered read the third time and passed.

REQUIRING A STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4501, which is at the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4501) a bill to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 4501) was considered read the third time and passed.

TECHNICAL CORRECTION OF H.R. 3910

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 129, which was submitted by Senator MURKOWSKI.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A current resolution (S. Con. Res. 129) to correct a technical error in the enrollment of H.R. 3910.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

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

Mr. BURNS. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Con. Res. 129) was agreed to as follows:

S. CON. RES. 129

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 3910 the Clerk of the House shall, in title IV, section 406, strike ''5 years after the date of enactment of the Omnibus National Parks and Public Lands Act of 1998'' and insert ''5 years after the date of enactment of this Act''.

MORNING BUSINESS

Mr. BURNS. Mr. President, we now enter a time for morning business, and I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDENT pro tempore. The able Senator from Virginia, Senator WARNER.

(Mr. BURNS assumed the Chair.)

THE PRESIDENT PRO TEMPORE

Mr. WARNER. Mr. President, I thank the distinguished President pro tempore. I think it should be noted from time to time, particularly on this, presumably one of the last 2 days of the Congress, that this distinguished President pro tempore has reported every morning the Senate has convened, so far as I know, to open the Senate. It is a responsibility he has taken unto himself with great dignity as he carries out his duties to the credit of this memorable institution, and we express our great appreciation to the President pro tempore. To the best of my knowledge, he has not missed a single day of this Congress in opening up the Senate, which is another record to add to the many, many records of our distinguished President pro tempore.

Mr. THURMOND. I thank the able Senator very much for his kind remarks.

Mr. WARNER. I thank the distinguished Senator.

I rise to address two subjects today, and I ask unanimous consent to use such time as I may require, although I will yield to others as they appear in the Chamber seeking recognition.

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

Mr. WARNER. I thank the Chair.

UNITED STATES-CUBA RELATIONS

Mr. WARNER. Mr. President, I have great concerns about our Nation's policy towards Cuba. Castro remains, in the mind of this Senator and the minds of most, as an individual who has brought great harm to that nation, and it persists to this day. The human suffering there is incalculable.

Some months ago, I joined with my distinguished friend and colleague, the senior Senator from Connecticut, Mr. DODD, who has had considerable experience in this region of our hemisphere, in trying to seek legislation to allow the sale of U.S. food, medicine and medical equipment to Cuba.

Regrettably, that has not been done in its totality. There have been some efforts, but nevertheless that continues to present itself as an example of how I believe—and others share my belief—that the overall policy between the United States of America and Cuba should be thoroughly, pragmatically and objectively reviewed. With that purpose in mind, I and other Senators—I think some 15 in number—have written the President of the United States requesting that he, hopefully jointly with the Congress, establish a commission to make such a study. In short, we wrote President Clinton recommending ''the establishment of a national bipartisan commission to review our current U.S.-Cuba policy.''

My reason for making this recommendation is simple and straightforward. The current United States-Cuba policy in effect for nearly 40 years—that is astonishing, 40 years—has yet to achieve its goal of a peaceful transition to democracy in Cuba. Of course, Castro remains the single most formidable obstacle to achieving that goal.

Now the time has come, in our judgment, for a thoughtful, rational and objective analysis of our current U.S. policy toward Cuba and its overall effect on this hemisphere. I am not alone

in putting forward this proposal. As I have previously stated, I was joined in this recommendation to the President by a distinguished and bipartisan group of Senate colleagues. In addition, a world-respected group of former senior Government officials of our United States have written to me—I asked for that letter and obtained it—in strong support of the establishment of the commission.

That distinguished group includes Howard Baker, Jr., former Senate majority leader; Frank Carlucci, former Secretary of Defense; Lawrence Eagleburger, former Secretary State; Henry Kissinger, former Secretary of State; William D. Rogers, former Under Secretary of State; Harry W. Shalaudeman, former Assistant Secretary of State and Malcolm Wallop, former U.S. Senator. Further, I am informed that former Secretary of State George Shultz supports our efforts.

Mr. President, it is my hope that President Clinton will act to implement our recommendation. Should he choose to do so, the analysis and recommendations that are put forth will provide both the Congress and the Administration with the means to shape and strengthen our future relationship with Cuba.

The recommendation that we have for this commission is parallel to one that was set up by a past President in response to the need to look at the overall hemisphere. It was known as the Kissinger Commission. It has, I think, the customary provisions in it whereby the President makes certain appointments and the Congress will make certain appointments. I think there will be a wealth of talent ready, able, and willing to step forward at the call of the Executive branch and the Legislative branch to take up the responsibility of a very serious challenge, to establish a revised policy between our Nation and Cuba.

Mr. President, I ask unanimous consent my letter to President Clinton, the letter sent to me by Lawrence Eagleburger, and an October 16, 1998, Washington Post editorial on this subject be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, October 13, 1998.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We, the undersigned, recommend that you authorize the establishment of a National Bipartisan Commission to review our current U.S.-Cuba policy. This Commission would follow the precedent and work program of the National Bipartisan Commission on Central America, (the ''Kissinger Commission''), established by President Reagan in 1983, which made such a positive contribution to our foreign policy in that troubled region over 15 years ago.

We recommend this action because there has not been a comprehensive review of U.S.-Cuba policy, or a measurement of its effectiveness in achieving its stated goals, in over 38 years since President Eisenhower first canceled the sugar quota on July 6, 1960 and President Kennedy imposed the first total embargo on Cuba on February 7, 1962. Most recently, Congress passed the Cuban Democracy Act in 1992 and the Helms-Burton Act in 1996. Since the passage of both of these bills there have been significant changes in the world situation that warrant a review of our U.S.-Cuba policy including the termination, in 1991, of billions of dollars of annual Soviet economic assistance to Cuba, and the historic visit of Pope John Paul II to Cuba in 1998.

In addition, during the past 24 months numerous delegations from the United States have visited Cuba, including current and former Members of Congress, representatives from the American Association of World Health, and former U.S. military leaders. These authoritative groups have analyzed the conditions and capabilities on the island and have presented their findings in the areas of health, the economy, religious freedom, human rights, and military capacity. Also, in May 1998, the Pentagon completed a study on the security risk of Cuba to the United States.

However, the findings and reports of these delegations, including the study by the Pentagon, and the call by Pope John Paul II for the opening of Cuba by the world, have not been broadly reviewed by all U.S. policy makers. As Members of the U.S. Senate, we believe it is in the best interest of the United States, our allies, and the Cuban people to review these issues.

We therefore recommend that a ''National Bipartisan Commission on Cuba'' be created to conduct a thoughtful, rational, and objective analysis of our current U.S. policy toward Cuba and its overall effect on this hemisphere. This analysis would in turn help us shape and strengthen our future relationship with Cuba.

We recommend that the members of this Commission be selected, like the ''Kissinger Commission'', from a bipartisan list of distinguished Americans who are experienced in the field of international relations. These individuals should include representatives from a cross section of U.S. interests including public health, military, religion, human rights, business, and the Cuban American community. A bipartisan group of eight Members of Congress would be appointed by the Congressional Leadership to serve as counselors to the Commission.

The Commission's tasks should include the delineation of the policy's specific achievements and the evaluation of (1) what national security risk Cuba poses to the United States and an assessment of any role the Cuban government may play in international terrorism and illegal drugs, (2) the indemnification of losses incurred by U.S.-certified claimants with confiscated property in Cuba, and (3) the domestic and international impacts of the 36-year-old U.S.-Cuba economic, trade and travel embargo on: (a) U.S. international relations with our foreign allies; (b) the political strength of Cuba's leader; (c) the condition of human rights, religious freedom, freedom of the press in Cuba; (d) the health and welfare of the Cuban people; (e) the Cuban economy; (f) the U.S. economy, business, and jobs.

More and more Americans from all sectors of our nation are becoming concerned about the far-reaching effects of our present U.S.-Cuba policy on United States interests and the Cuban people. Your establishment of this National Bipartisan Commission would demonstrate your leadership and responsiveness to the American people.

We have enclosed a letter from former Secretary of State Lawrence Eagleburger outlining his and other former top officials support for the creation of such a commission. Thank you in advance for your thoughtful consideration.

Sincerely,

John Warner, Chuck Hagel, Rod Grams, James M. Jeffords, Michael B. Enzi, Bob Kerrey, Rick Santorum, Dirk Kempthorne, Kit Bond, John Chafee, Craig Thomas, Dale Bumpers, Chris Dodd, Pat Roberts.

BAKER, DONELSON, BEARMAN & CALDWELL,
Washington, DC, September 30, 1998.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: As Americans who have been engaged in the conduct of foreign relations in various positions over the past three decades, we believe that it is timely to conduct a review of United States policy toward Cuba. We therefore encourage you and your colleagues to support the establishment of a National Bipartisan Commission on Cuba.

I am privileged to be joined in this request by: Howard H. Baker, Jr., Former Majority Leader, U.S. Senate; William D. Rogers, Former Under Secretary of State; Frank Carlucci, Former Secretary of Defense; Harry W. Shalaudeman, Former Assistant Secretary of State; Henry A. Kissinger, Former Secretary of State; and Malcolm Wallop, Former Member, U.S. Senate.

We recommend that the President consider the president and the procedures of the National Bipartisan Commission on Central America chaired by former Secretary of State Henry A. Kissinger, which President Reagan established in 1983. As you know, the Kissinger Commission helped significantly to clarify the difficult issues inherent in U.S. Policy in Central America and to forge a new consensus on many of them.

We believe that such a Commission would serve the national interest in this instance as well. It could provide the Administration, the Congress, and the American people with objective analysis and useful policy recommendations for dealing with the complexities of our relationship with Cuba, and in doing so advance the cause of freedom and democracy in the Hemisphere.

Sincerely,

LAWRENCE S. EAGLEBURGER.

A GOOD IDEA ON CUBA

By chance, a record 157 countries voted in the U.N. General Assembly against the American embargo of Cuba just as a proposal for a high-powered national bipartisan commission to review the United States' whole Cuba policy was emerging from the Senate. In the Assembly, only Israel supported Washington in defense of an embargo that has been the centerpiece of American policy for 36 years and that has not been soberly reviewed since the Cold War ended. Sen. John Warner (R–Va.) is author of the review proposal. He has gotten heavy-duty legislators and former foreign policy officials to sign on.

So much has changed over the four decades of Cuban-American collision. The Cold War is over, terminating Cuban security threats to the United States. Cuba, by its own totalitarian rule and economic mismanagement, and not just by the embargo, has entirely lost luster as a model for modernizing states. The embargo has punished the Cuban economy, though it is slowly recovering, and also the Cuban people. The embargo has embellished the nationalist credentials of Communist ruler Fidel Castro. It has puzzled America's best friends, who do not understand why the United States treats Cuba as though the Cold War were still on.

The official answer is that the embargo is a lever to force the democratization of Cuba

and, by American law, the termination of Fidel Castro's rule. But the limited changes in this regard are owed less to official American isolation than to such regulated openings as the permissions for calls, emigration, humanitarian gifts and family trips and the historic visit of Pope John Paul II.

The American debate on Cuba has come to be an intense unproductive contest between the Miami exile right and its liberal critics. The Warner proposal promises to widen both the terms of the debate and the constituencies participating in it. A broad bipartisan review of Cuba policy is an idea whose time has come.

KOSOVO

Mr. WARNER. Mr. President, I have repeatedly taken the floor to speak about my great concern regarding the people who are suffering today in Kosovo. As I stated in my remarks on previous days, I visited Kosovo some weeks ago in the company of the KDOM—which is a most unusual organization—but it has the permission by which to take unarmed missions into the countryside around Pristina and elsewhere, to see the ravages of that tragic conflict.

Regrettably, even though we have now in place an agreement with Milosevic, the fighting and the strife continues. We have recently executed an agreement. I say ''we.'' Primarily, the United Nations and NATO have entered into an agreement with the Yugoslav Government, and President Milosevic signed it.

There have been some changes in the status of forces of the Yugoslav Army and the like, but it is a very fluid situation. We hear one day units are moving out and then today there are reports that other Yugoslav Army units are being redeployed. The suffering, however, continues and the winter is coming. The whole world is standing by to witness what is, I think, one of the greatest recent tragedies.

Weather is as cruel as weapons. I saw, for my own eyes, these people huddled in the hills, helpless, homeless, without food, without medicine; tens of thousands—we do not know with any specific accuracy how many there are, but it certainly is in excess of 100,000 human beings—innocent victims, by and large, of the conflicts, political and military, in this region of Kosovo.

I have had the opportunity to get briefed by the Central Intelligence Agency, briefed by the Department of Defense; I try to remain as current as I can on this issue. The bottom line of what I am saying today is it is time that we look with great seriousness at the need to constitute a force which will have sufficient arms to go into that region and provide the stability necessary—I repeat, the stability necessary for the nongovernmental institutions and others to bring in the food, the medicine and the shelter that is required to support these people. It is as simple as that. They will simply perish by the tens of thousands without this sort of help.

The agreement provides for the OSCE to come in. This is the first time in the history of that organization that they have ever undertaken a challenge of this magnitude. They are not organized, really, to work to provide security which requires force of arms, but some attempt will be made along that line. The bottom line, I think, is someone has to stand up—and I am prepared to do it—and say that NATO is the only force constituted that can come in, in a short period of days, literally days, to give that degree of stability so these emergency supplies can come in. It is my grave concern that unless that is done and done promptly, the world will witness human suffering of a magnitude we have not seen, certainly, in a long time. I think only NATO can step in to do this.

I know the deep concern here in the Senate and elsewhere in the United States about employing any U.S. ground troops in the region of Kosovo. We went through those debates with regard to Bosnia. I personally was never in favor of it. But once we make a decision, as we have now made, and we have the agreements in place, there is absolutely no alternative but to faithfully try and execute our responsibility, together with NATO and the United Nations, to provide the environment in which, in the few weeks to come, we can save the lives of tens of thousands of innocent people. That can only be done by putting in place uniformed, organized, well-trained troops. Their presence could well be the deterrent to stop the fighting.

In my judgment, there are no clean hands in this situation. The preponderance of the atrocities obviously have been committed by the Serbian forces under the direction, either indirectly or directly, of Slobodan Milosevic. There is no doubt about that. But there also are some attacks being perpetrated by the KLA, which is that disparate group, relatively undefined, whose leadership changes from time to time, whose organization has very little coordination between the various bands of the KLA, but nevertheless they have perpetrated atrocities and, apparently, there are reports that some atrocities are continuing to be perpetrated by the KLA.

Only an absolutely neutral independence force, as constituted by the United Nations, together with NATO, can provide the security necessary to bring in the needed food and medicine.

In looking over the agreement, and in consultation with the Department of Defense, I have learned of one very interesting development. I have not, as yet, seen it in the open press, but I have obtained the authority of the Department of Defense to mention this, because I think it is a positive goal. There are certain positive goals that have been achieved by this agreement. This one will be severely criticized. I certainly have some criticism of it. But there are some positive results of the agreement that have recently been executed between the United Nations, NATO and the Yugoslav Government.

One of them, for example, is as follows:

> Under the agreement, Milosevic has been required to accept a continuing presence of NATO reconnaissance aircraft over his sovereign airspace in order to monitor its compliance with the terms of the accord.

Under that, we have today—and this is most important—six NATO military officers in Belgrade inside the Serbian air defense headquarters to act as liaison with NATO. We expect Yugoslav air defense personnel to report to the Combined Air Operation Center in Italy today to perform the same function.

That eliminates a lot of uncertainty that could spark a response by the Yugoslav air defense operations against our monitoring aircraft, and that must be avoided.

We expect this military-to-military coordination to eliminate any possibility of miscommunication on the implementation of the air verification regime.

I wish to say I find that to be a very positive part of this agreement. I just hope we will come to the realization that a second very positive step must be taken immediately, and that is placing security forces—and I think only NATO is able to do this within the few days that is required for those forces—to enable the food and medicine to reach those in need.

Unquestionably, Milosevic bears the primary responsibility for finding an acceptable political solution that grants the people of Kosovo some degree of autonomy. We know not that level at this time. A degree of self-governance has to come about and, most importantly, freedom from the oppression we have witnessed in the past months and, indeed, throughout the past decade when Milosevic removed from Kosovo its degree of autonomy and self-governance that it had some years ago.

Also, the ethnic Albanians bear responsibility for making this agreement a success as well. That primarily falls on the KLA. The political leadership of Kosovo and the Kosovo Liberation Army, or the UCK, as it is called, must refrain from violence and set up some establishment where they can have representatives at the negotiating table and negotiate in good faith and support the OSCE verification regime on the ground.

Mr. President, I will continue to monitor this. Of course, I will not have an opportunity to do so here on the floor of the Senate, but I will by other means, because I personally am gravely concerned about the plight of these homeless, helpless people who only ask for the opportunity to live in peace and quiet in their countryside and in their small homes, which I have seen in great numbers, but regrettably most that I saw had been blown up and devastated.

My prayers, and I think the prayers of the people of this country, are with

those helpless people. I hope we come to the quick realization of the steps that must be taken to resolve this tragic conflict.

I yield the floor.

TRIBUTE TO WORKING WOMEN

Mr. LOTT. Mr. President, I would like to take this opportunity to recognize the Greenwood Business and Professional Club of Greenwood, Mississippi, and the working women who comprise its membership. The club was established on November 20, 1931, and will be holding its annual Women of Achievement Banquet on Thursday, October 22, 1998. It is my privilege to note that my daughter, Tyler Lott, a working woman in her own right, will provide the banquet's keynote address.

For nearly 67 years, the Greenwood Business and Professional Club has been a shining example of women helping women through countless programs and projects. More importantly, the members of this club are representative of working women across America who make invaluable sacrifices every day to strengthen the economy and fiber of our families, communities, states and nation.

Working women are found in virtually every profession, trade and vocation, and constitute well over 62 million members of the United States workforce. In fact, women-owned businesses account for approximately one-third of domestic firms and employ over 13 million people. Moreover, we should always remember that, in addition to women working in traditional businesses, women may be found working in homes throughout America making significant contributions each day through their occupation as homemakers.

As working women continue their service to America through professional, civic and cultural endeavors, it is fitting that we recognize their growing numbers, and congratulate these women who labor so tirelessly and effectively both inside and outside the home. Whether in business, industry, a profession, or as a homemaker, today's working women are vital role models for young women coast-to-coast who will help mold the future of this country.

I am honored to have this opportunity to commend our nation's working women, and to extend my most sincere thanks to the members of the Greenwood Business and Professional Club for its 67 years of achievement and service.

PASSAGE OF THE GOVERNMENT PAPERWORK ELIMINATION ACT

Mr. ABRAHAM. Mr. President, the Omnibus Appropriations bill that the Senate is about to consider contains the full text of S. 2107, the Government Paperwork Elimination Act, a bill I introduced in April along with Senators WYDEN, MCCAIN and REED. I want to thank Senators MCCAIN, LOTT, WYDEN, and HOLLINGS for taking the time and effort to work with me in advancing this legislation. Without their active support and participation, this bill would not have progressed as far as it has.

Senators WYDEN, MCCAIN and REED joined me in introducing the Government Paperwork Elimination Act in May of this year. On July 15, 1998, I chaired a hearing on this legislation before the full Commerce Committee. Two weeks later, S. 2107 was marked up in the Committee with several modifications. On a voice vote, the bill as amended was ordered to be reported.

When the Senate returned to session after the August recess, a unanimous consent agreement was propounded on S. 2107. This unanimous consent request brought the bill to the attention of Senator THOMPSON, the Chairman of the Government Affairs Committee. Senator THOMPSON had concerns with the bill because of the extent to which it dealt with Federal agencies.

Despite the time constraints—the session was expected to end in two weeks—Senator THOMPSON generously offered to work with me to address some of his committee's concerns and ensure that the bill as offered did not conflict with current mandates on the Executive. Over the course of the last week in September, Senator THOMPSON and I modified S. 2107 to address the concerns raised in his committee. On Tuesday, October 7, S. 2107 as amended was added as an amendment to S. 442 by unanimous consent.

The Internet Tax Freedom Bill passed the Senate on October 8 and was sent to the House for consideration. However, because the House did not agree with some of the language contained in the bill, House Members proposed adding the text of the House passed Internet Tax Freedom Bill to the omnibus rather than passing S. 442 as amended.

On October 15th, the Senate passed S. 2107 independent of other vehicles. On the same day, the text of S. 2107 was included in the omnibus appropriations bill. The next day, October 16th, the Omnibus Appropriations bill was passed by Congress with the text of the Government Paperwork Elimination Act included therein.

This legislation amends the Paperwork Reduction Act of 1980 to allow for the use of electronic submission of Federal forms to the Federal government with the use of an electronic signature within five years from the date of enactment. It is intended to bring the federal government into the electronic age, in the process saving American individuals and companies millions of dollars and hundreds of hours currently wasted on government paperwork.

In order to protect the private sector and ensure a level playing field for companies competing in the development of electronic signature technologies, this legislation mandates that regulations promulgated by the Office of Management and Budget and the National Telecommunications and Information Administration be compatible with standards and technologies used commercially in order to ensure that no one industry or technology receives favorable consideration. It also requires Federal agencies to accept multiple methods of electronic submission if the agency expects to receive 50,000 or more electronic submittals of a particular form. This requirement will ensure that no single electronic signature technology is permitted to unfairly dominate the market.

This legislation also takes several steps to help the public feel more secure in the use of electronic signatures. If the public is going to send money or share private information with the government, people must be secure in the knowledge that their information and finances are adequately protected. For this reason, my bill requires that electronic signatures be as reliable as necessary for the transaction. If a person is requesting information of a public nature, a secure electronic signature will not be necessary. If, however, an individual is submitting forms which contain personal, medical or financial information, adequate security is imperative and will be available.

This is not the only provision providing for personal security, however. Senator LEAHY joined me to help establish a threshold for privacy protection in this bill. The language developed by Senator LEAHY and I will ensure that information submitted by an individual can only be used to facilitate the electronic transfer of information or with the prior consent of the individual. Also included is legislation which establishes legal standing for electronically submitted documents. Such legal authority is necessary to attach the same importance to electronically signed documents as is attached to physically signed documents. Without it, electronic submission of sensitive documents would be impossible. Finally, the Government Paperwork Elimination Act requires that Federal agencies to send an individual an electronic acknowledgement of their submission when it is received. Such acknowledgements are standard when conducting commerce online. A similar acknowledgement by Federal agencies will provide piece-of-mind for individuals who conduct business with the government electronically.

As much as individuals will benefit from this bill, so too will American businesses. By providing companies with the option of electronic filing and storage, this bill will reduce the paperwork burden imposed by government on commerce and the American economy. It will allow businesses to move from printed forms they must fill out using typewriters or handwriting to digitally-based forms that can be filled out using a word processor. The savings in time, storage and postage will

be enormous. One company, computer maker Hewlett-Packard, estimates that the section of this bill permitting companies to download copies of regulatory forms to be filed and stored digitally rather than physically will, by itself, save that company $1–2 billion per year.

Efficiency in the federal government itself will also be enhanced by this legislation. By forcing government bureaucracies to enter the digital information age we will force them to streamline their procedures and enhance their ability to maintain accurate, accessible records. This should result in significant cost savings for the federal government as well as increased efficiency and enhanced customer service.

Each and every year, Mr. President, Americans spend in excess of $6 billion hours simply filling out, documenting and handling government paperwork. This huge loss of time and money constitutes a significant drain on our economy and we must bring it under control. The easier and more convenient we make it for American businesses to comply with paperwork and reporting requirements, the better job they will do of meeting these requirements, and the better job they will do of creating jobs and wealth for our country. That is why we need this legislation.

The information age is no longer new, Mr. President. We are in the midst of a revolution in the way people do business and maintain records. This legislation will force Washington to catch up with these developments, and release our businesses from the drag of an obsolete bureaucracy as they pursue further innovations. The result will be a nation and a people that is more prosperous, more free and more able to spend time on more rewarding pursuits.

I want to thank my colleagues in the Senate for their support and urge the House to support this important legislation. I ask unanimous consent that a statement of intent for the Government Paperwork Elimination Act be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, AS FOLLOWS:

STATEMENT OF INTENT ON THE GOVERNMENT PAPERWORK ELIMINATION ACT—SENATOR ABRAHAM, Senator WYDEN, Senator MCCAIN

I. PURPOSE OF THE GOVERNMENT PAPERWORK ELIMINATION ACT

The Act, as reported, would require Federal agencies to make electronic versions of their forms available online and would allow individuals and businesses to use electronic signatures to file these forms electronically. The intent of the bill is to provide a framework for reliable and secure electronic transactions with the Federal government, while remaining ''technology neutral'' and not inappropriately favoring one industry over another.

II. BACKGROUND AND NEEDS

The widespread use and world-wide accessibility of the Internet provides the opportunity for enhanced electronic commerce and substantial paperwork reduction. State governments, industry, and private citizens have already embraced the electronic medium to conduct public and private business. Allowing businesses and individuals to conduct their affairs with the Federal government within a stable legal framework would save financial resources by eliminating burdensome paperwork and bureaucracy.

The widespread use of electronic forms can greatly improve the efficiency and speed of government services. Such efforts as people traveling to government offices for forms would no longer be required. If implemented, the bill would save the government million of dollars in cost associated with such things as copying, mailing, filing and storing forms.

Electronic signatures can offer greater assurances that documents are authentic and unaltered. They minimize the chances of forgeries or people claiming to have had their signatures forged.

An electronic signature is a method of indicating that a particular person has originated and approved the contents of an electronic document. There are a wide array of electronic signature technologies currently available, which range from simply typing one's name on an electronic document or e-mail, to scanning a handwritten signature as a bitmap and copying it onto an electronic document. More technologically complex versions of electronic signatures involve the analysis of physical characteristics (biometrics) such as fingerprints, retina scans, and the biometrics of an actual signature to digitally verify the signer's identity. The widely referred-to ''digital signature'' is slightly different, and is merely one type of electronic signature which often, although not always, involves the use of trusted third parties.

Security levels for all electronic signatures vary according to the technology used. Simply typing a name on a document offers no security protection, and cannot be verified as unique to the originator. Bitmaps, which are digital versions of handwritten signatures, require large amounts of memory, are vulnerable to copying or pasting, and cannot be used to accurately tie the document to the signature. Electronic signature technologies which use biometric analysis offer a higher level of security. Digital signatures and the use of licensed third parties also yield a higher degree of security.

Several states have enacted electronic signature legislation with varying scopes and legal requirements. Some states have chosen to limit the scope of the law to transactions with state or public entities, or even to more specific purposes such as court documents, medical records, and state treasurer checks and drafts. Other states have applied their statutes to private as well as public transactions. State statues also have varying technology requirements which highlight the potential for future compatibility and interoperability problems.

III. SUMMARY OF MAJOR PROVISIONS

As reported, the Government Paperwork Elimination Act would provide a legal framework and time line for electronic transactions between individuals and businesses and the Federal government. Major provisions of the Act, as reported, include:

1. Each Federal agency would be required to make electronic versions of their forms available for electronic submission. Such electronic submission would be supported by guidelines issued by the Director of Office of Management and Budget (OMB) and the National Telecommunications Information Administration.

2. The bill establishes the following time lines:

(1) At 18 months, the Secretary of Commerce will report on the bill's effect on electronic commerce and individual privacy, agencies will make electronic forms available for downloading and printing, agencies will permit employers to store Federal forms electronically, and agencies will establish policies and procedures for implementation of this Act.

(2) At 60 months, final implementation deadline.

3. The bill provides definitions of key terms, and specifies under what circumstances, and in what special cases, an agency is not required to provide for the electronic submission of forms.

IV. LEGISLATIVE HISTORY

The Government Paperwork Elimination Act, S. 2107, was introduced by Senator ABRAHAM on May 21, 1998. The bill was co-sponsored by Senator WYDEN, Senator MCCAIN, and Senator REED. In June 1998, Senator LOTT, Senator COCHRAN, and Senator BURNS were added as co-sponsors to the bill. On July 15, 1998 the Commerce Committee held a hearing on digital signatures at which time testimony was heard from Mr. Andrew Pincus, General Counsel, Department of Commerce; Mr. Scott Cooper, Manager, Technology Policy, Hewlett Packard; Mr. Kirk LeCompte, Vice President, Product Marketing, PenOp Inc.; and Mr. Dan Greenwood, Deputy General Counsel, Information Technology Division, The Commonwealth of Massachusetts.

On July 29, 1998 the Committee met in executive session and, by a voice vote, ordered the bill, as amended, to be reported.

On September 17, 1998 the bill was reported to the Senate with an amendment in the nature of a substitute by the Senate Committee on Commerce, Science and Transportation and placed on the Senate Legislative.

On October 7, 1998, the bill was added as amendment # 3678 to S. 442, the Internet Tax Freedom Act by unanimous consent.

On October 8, 1998, the Internet Tax Freedom Act was passed by the Senate and sent to the House of Representatives.

On October 15, 1998, S. 2107 was passed in the Senate by unanimous consent.

On October 21, the bill passed the Senate as part of the Omnibus Appropriations Act.

V. PRIVACY

This legislation will not have an adverse impact on the privacy of individuals. The Director of the Office of Management and Budget, in cooperation with the Administrator of the National Telecommunications Information Administration will conduct an ongoing study of the Act's impact on individual privacy.

VI. PAPERWORK

This legislation will not increase the paperwork requirement for private individuals or businesses. The legislation would require two reports: (1) the Secretary of Commerce would be required to submit to Congress a report on the Act's effect on electronic commerce and individual privacy; and (2) the General Accounting Office would be required to submit to Congress a report on agencies' policies, procedures, and timeliness for the implementation of this Act.

VII. SECTION-BY-SECTION ANALYSIS OF THE GOVERNMENT PAPERWORK ELIMINATION ACT

TITLE XVII GOVERNMENT PAPERWORK ELIMINATION ACT

Section 1. This section would permit the bill to be cited as the ''Government Paperwork Elimination Act.''

Section 2. Authority of OMB to Provide For Acquisition And Use Of Alternative Information Technologies By Executive Agencies. Amends current law to provide for the availability of electronic submission as a substitute for paper and for the use and acceptance of electronic signatures.

Section 3. Procedures For Use And Acceptance Of Electronic Signatures By Executive Agencies. Subsection (1) would require the Office of Management and Budget, in consultation with the National Telecommunications Information Administration to develop procedures for the use and acceptance of electronic signatures by Executive agencies.

Subsection (2) establishes the requirements for these procedures. Paragraph (i) would ensure that these procedures would be compatible with those used in the commercial and State government sectors. Paragraph (ii) would require that these procedures would not inappropriately favor one industry or technology. The intent of the bill is for the government to remain ''technology neutral.'' And, so as not to prescribe one electronic signature security level for all documents, paragraph (iii) would allow the security level to be commensurate with the document's sensitivity. Paragraph (iv) would require agencies to electronically acknowledge the submission of electronic forms. Paragraph (v) would require agencies to ensure multiple methods of electronic submission when it expects to receive 50,000 electronic submittal of a particular form, paragraph E would require the agency to make multiple electronic signature formats available for submitting the forms. To further ensure technology neutrality, ''multiple methods'' are required when a form is submitted in substantial enough volume so that the government does not favor a particular technology provider by accepting only one electronic signature technology.

The intent of the bill is not to mandate the use of a particular technology. Rather, the bill is intended to be technology neutral leaving open the possibility that a wide variety of existing technologies or technologies that will be developed in the future may be used by the Federal government in satisfying the requirements of this bill.

Section 4. Deadline For Implementation By Executive Agencies Of Procedures For Use And Acceptance Of Electronic Signatures. Requires that, when practicable, Federal forms must be available for electronic submission, with electronic signatures within 60 months after enactment.

Section 5. Electronic Storage And Filing Of Employment Forms. After 18 months from enactment, the Office of Management and Budget shall develop procedures to permit employers that are required by law to collect, file and store Federal forms concerning their employees, to collect, file and store the same forms electronically.

Section 6. Study On Use Of Electronic Signatures. This section would require the Director of the Office of Management and Budget, in cooperation with the National Telecommunications Information Administration to conduct an ongoing study on how this bill affects electronic commerce and individual privacy. A periodic report describing the results shall be submitted to the Congress.

Section 7. Enforceability and Legal Effect of Electronic Records.

This section stipulates that electronic records, or electronic signatures or other forms of electronic authentication, submitted in accordance with agency procedures, will not be denied legal effect, validity or enforceability because they are in electronic form. This provision is intended to preclude agencies or courts from systematically treating electronic documents and signatures less favorably than their paper counterparts.

Section 8. Disclosure Of Information. This section is intended to protect the privacy of individuals who submit information electronically to Federal agencies. Information submitted by individuals may only be used to facilitate electronic communications between that individual and the agency and may not be disclosed by agency employees without the affirmative consent of that individual. This section is not intended to supersede current law in this area.

Section 9. Application With Other Laws. This section would exempt the Internal Revenue Service (IRS) and the Department of the Treasury from the provisions in this Act, when in conflict with the administration of internal revenue laws or conflicts the Internal Revenue Service Restructuring and Reform Act of 1998 or the Internal Revenue Code of 1986. The IRS collection process should also be exempted from this Act.

Section 10. Definitions. This section would provide the definitions of several key terms used throughout this bill.

CHARITABLE CHOICE

Mr. ASHCROFT. Mr. President, recently, both the House and Senate voted unanimously to pass the conference report on S. 2206, the ''Coats Human Services Reauthorization Act of 1998.'' During House debate on the conference report, some members expressed concerns regarding bill language described as the ''charitable choice'' provision, which is similar to language I drafted for the welfare reform law passed in the 104th Congress and signed by the President in August of 1996.

As I have said in a previous floor statement, the charitable choice provision will expand the opportunities for private, charitable, and religious organizations to serve their communities with Community Services Block Grant (CSBG) funds. This provision expresses the judgment of Congress that these organizations can play a crucial role in helping people out of poverty through the CSBG program.

I am confident that the charitable choice language in the Community Services Block Grant reauthorization is constitutional and represents sound public policy. However, I want to respond to the comments made regarding this provision, as critics of the provision seem to overlook recent case law of the Supreme Court regarding this issue, and even mischaracterize certain sections of the charitable choice provision.

First, most of the concerns expressed by certain House members are based upon case law that does not represent the current jurisprudence of the Supreme Court. In recent years, the general trajectory of the Supreme Court's Establishment Clause cases has been in the direction of what constitutional scholars describe as ''neutrality theory.'' Under this theory, private organizations are eligible to provide government-funded services to beneficiaries through contracts, grants, or vouchers without regard to religious character. Moreover, there are serious constitutional problems when the government screens potential service providers based upon religious beliefs and practices—which is what the critics of charitable choice want to do.

The charitable choice provision in the 1996 welfare reform law and the Child Care Development Block Grant Program of 1990 conform to the principle of religious neutrality. Under the first legislation, charitable and faith-based organizations are eligible, on the same basis as all other non-governmental organizations, to receive federal funds to provide services to welfare recipients. Similarly, the child care law allows low-income parents to choose among an array of private providers—including religious ones—in obtaining federally funded day care services.

The test the Supreme Court has used over the years to analyze Establishment Clause cases has been the ''Lemon test,'' which has the two-fold requirement that the government action in question must have a valid secular legislative purpose, and a primary effect that neither enhances nor inhibits religion. (In the recent case of Agostini v. Felton, the Court took the third prong, the ''entanglement'' analysis, and folded it into the second prong of the test). The first prong, requiring a valid secular purpose, is usually not subject to much controversy, as the Court has been highly deferential to the legislature's action. In its review of the Adolescent Family Life Act (AFLA), for example, the Court noted that the ''provisions of the statute reflect at most Congress' considered judgment that religious organizations can help solve the problems to which the AFLA is addressed. Nothing in our previous cases prevents Congress from making such a judgment or from recognizing the important part that religion or religious organizations may play in resolving certain secular problems.''

The serious debate generally concerns the second prong of the Lemon test, namely, whether the ''primary effect'' of these social welfare initiatives is to advance religion. In neutrality theory, Lemon's primary-effect inquiry is accomplished by examining how a service provider actually spends the program monies. Obviously, the test is whether funds are being spent in accordance with the valid secular purposes set out in the governing statute, and as expressed in the service contract or grant at issue. These purposes necessarily exclude use of the monies for inherently religious programming.

On the other hand, critics of charitable choice would argue that the primary-effect inquiry should focus on whether a service provider is religious in character, and if so, how religious. An organization found ''too religious'' is dubbed ''pervasively sectarian,'' thereby disqualifying the organization as a provider of government-funded services.

In recent years, the Supreme Court has been moving away from this ''too religious'' versus ''secular enough'' inquiry, and toward the neutrality approach. Two of the Court's most recent pronouncements on this issue are

Agostini v. Felton and Rosenberger v. Rector and Visitors of the University of Virginia. Although the Court did not embrace the neutrality principle in these cases without certain qualifications, the law today is far closer to neutrality than to the ''no-aid separationism'' of the 1970s and mid-1980s espoused by critics of charitable choice.

In Agostini, decided in 1997, the Court held that remedial education for disadvantaged students could be provided on the premises of K through 12 religious schools—the only entities the Court has declared in the past to be ''pervasively sectarian.'' The Court was no longer willing to assume that direct assistance would be diverted to the inculcation of religion by authorities at Roman Catholic elementary and secondary schools.

In the 1995 Rosenberger case, the Court held that a state university could not deny student activity fund money, which was generally available to all students groups for student publications, to a certain student group based upon the religious content of its publication. The Court warned that the government's attempt to draw distinctions regarding religious content would require the government—and ultimately the courts—''to inquire into the significance of words and practices to different religious faiths, and in varying circumstances by the same faith. Such inquiries would tend inevitably to entangle the State with religion in a manner forbidden by our cases.'' The critics would ignore this warning in order to apply their ''too religious'' test.

Several prominent constitutional law scholars have recognized the Court's movement toward neutrality, including Professor Douglas Laycock of the University of Texas, Professor John Garvey of Notre Dame, Professor Michael McConnell of the University of Utah, Professor Michael Paulsen of the University of Minnesota, and finally, Professor Carl H. Esbeck of the University of Missouri. Professor Esbeck worked closely with my staff to draft the charitable choice provision of the welfare law, as well as my Charitable Choice Expansion Act, which I introduced earlier this year.

The consequences of relying upon the view propounded by critics of the charitable choice concept go beyond ignoring recent constitutional jurisprudence. They also result in bad public policy. Demanding that religious ministries ''secularize'' in order to qualify to be a government-funded provider of services hurts intended beneficiaries of social services, as it eliminates a fuller range of provider choices for the poor and needy, frustrating those beneficiaries with spiritual interests.

In examining a neutral program that includes both religious and secular providers, what matters is how the government money is actually spent, not the ideological character of the provider. Strict adherence to the ''too religious'' distinction perpetuated by the critics could actually eliminate current successful providers from eligibility to receive government funds.

Congress should continue to find ways to encourage successful charitable and faith-based organizations to unleash their effective good works upon society. The charitable choice provision is one such way to accomplish this goal.

In their discussion of the charitable choice provisions in the CSBG reauthorization bill, critics fail to acknowledge a valid distinction made by the Supreme Court: the difference between direct and indirect funding of government programs. When a program is administered through the use of certificates or vouchers given to beneficiaries, the religious nature of the organization at which the beneficiary redeems the voucher is irrelevant.

The Supreme Court has consistently held that government may confer a benefit on individuals, who exercise personal choice in the use of their benefit at similarly situated institutions, whether public, private nonsectarian, or religious, even if the benefit indirectly advances religion. The Court has made these rulings in Zobrest v. Catalina Foothills School District (1993), a case holding that the provision of special education services to a Catholic high student was not prohibited by Establishment Clause; in Mueller v. Allen (1983), where it upheld a state income tax deduction for parents paying religious school tuition; and in Witters v. Washington Department of Services for the Blind (1986), where the Court upheld a state vocational rehabilitation grant to disabled student choosing to use his grant for training as a cleric.

Moreover, the Child Care and Development Block Grant program, which has been in existence since 1990, allows parents to send their children to day care centers that are unquestionably ''pervasively sectarian'' in nature. This program has never been challenged as being violative of the Establishment Clause.

Should a community wish to set up a Community Services Block Grant program that gives individual beneficiaries vouchers or certificates to redeem at the location of their choice, there is no constitutional concern as to the religious nature of the organization providing services to that beneficiary.

There were also concerns expressed on the House floor that individuals would be directed by the government to religious organizations to receive Community Services Block Grant Services and forced to participate in religious activities. These concerns indicate that some members may not fully understand how the Community Services Block Grant program operates. Under this program, beneficiaries choose where they want to receive CSBG services—the government does not force certain individuals into certain programs.

CSBG services are not federal entitlements. This program was designed in the 1960s to provide flexible federal funding to communities to identify problems and needs in the community, and to then fashion and design a local solution. This is not a federally-directed solution. Rather, the CSBG program allows the community to find the most appropriate organizations in the community to offer different types of services to individuals.

Community Services Block Grant services are offered voluntarily to individuals in the community. People are not directed into these programs by the government. In fact, there are most likely existing government programs in the community, offering similar types of services, such as job training, basic education courses, and housing services. The Community Services Block Grant program maximizes individual choice at the local level by providing services to those who are fighting their way out of poverty.

Therefore, those who say that the charitable choice provision in the CSBG program is going to force individuals into religious programs and provide no alternatives misunderstand how the CSBG program operates.

The critics are also wrong when they say that a faith-based provider can compel a beneficiary to go to worship services or to submit to an attempt of proselytization. The argument fails to acknowledge that the charitable choice provision contains language stating that ''[n]o funds provided directly to organizations shall be expended for sectarian worship, instruction, or proselytization.'' Thus, CSBG funds must not be used to carry out inherently religious purposes. Rather, the funds are for the secular public purposes of the legislation, which include reducing poverty, revitalizing low-income communities, and empowering low-income families and individuals in rural and urban areas to become fully self-sufficient, especially those families who are attempting to transition off of welfare.

Therefore, the structure of the Community Services Block Grant program, along with the clearly spelled-out uses of and prohibitions on CSBG funding, ensure that beneficiaries will have maximized choices of where to receive services to help them escape poverty and reach self-sufficiency.

One argument was made that the charitable choice provision could result in the government having to provide financial audits of churches and other religious organizations who might be eligible for funds under a charitable choice program.

This statement appears to express a concern that a religious organization would subject itself to government intrusion by its receipt of CSBG funds. I share this concern, and for that reason, I included in the charitable choice provision language protecting a religious organization from such intrusion. This language requires a religious organization to segregate government funds

from funds received from non-government sources. Additionally, the provision states explicitly that only government funds are subject to government audit.

Therefore, the charitable choice provision protects participating religious organizations from unwarranted governmental oversight, while also holding such organizations financially accountable in the same way as all other non-governmental providers receiving government funding.

There was also a statement made on the House floor that the charitable choice provision ''would seek to enact exemptions from the religious discrimination clauses of the Civil Rights Act of 1964.'' This is a misstatement of what the provision says. Charitable choice does not create an exemption from the Civil Rights Act of 1964. Rather, it states that it preserves the exemption in the law allowing religious organizations to make employment decisions based on religion. The Supreme Court affirmed the constitutionality of this provision in Corporation of the Presiding Bishop v. Amos (1987). Receiving government funds for a secular purpose does not, of course, result in a waiver of this exemption. See, e.g., Siegel v. Truett-McConnell College, 1994 WL 932771 (N.D. Ga. 1994).

If a religious nonprofit organization must hire persons in open disagreement with the religious background and mission of the organization, its religious autonomy would be severely infringed. In fact, many successful faith-based organizations have stated that they would not take government funding if it would require them to hire employees who did not hold the same religious beliefs of the organization. For example, the International Union of Gospel Missions conducted a survey of their missions and found that some of these missions refused government funding if it required them to hire non-Christians.

The Charitable Choice makes clear that a religious organization maintains its Title VII exemption when it receives government funds to provide social services.

There was also an argument made that the charitable choice provision would require the government to consider using fringe religious groups to provide CSBG services. Although I find this to be more of a scare tactic than a legitimate argument, I think it is obvious that the charitable choice provision will not require the government to blindly select any non-governmental organization that applies for CSBG funds. The government may require legitimate, neutral criteria to all who apply. No organization, religious or otherwise, can become a provider unless it can deliver on its grant or contract.

Finally, there was an argument that the charitable choice provision could override the constitutional language of states prohibiting public funds from going to religious organizations. I would simply respond that the charitable choice provisions are in federal law dealing with federal dollars. We do not tell the states how to spend their own state tax funds.

In conclusion, the opponents of the charitable choice concept have not taken into account the latest Establishment Clause jurisprudence. If there is a comprehensive, religiously neutral program, the question is not whether an organization is of a religious character, but how it spends the government funds.

To reject charitable choice is to jeopardize Congress' ability to encourage proven, effective religious organizations to provide social services to our nation's needy with government funds. For years, these organizations have been transforming broken lives by addressing the deeper needs of individuals—by instilling hope and values that help change behavior and attitudes. By contrast, government-run programs have often failed in moving people from dependency and despair to independence. We must continue to find ways to allow private, charitable, and religious organizations to help administer the cultural remedy that our society so desperately needs. The charitable choice provision in the ''Coats Human Services Reauthorization Act of 1998'' is one way of accomplishing this goal.

THE LEGENDARY FRANK YANKOVIC

Mr. DEWINE. Mr. President, I rise today to pay tribute to one of the greatest musicmakers in the history of the Buckeye State, the legenday ''Polka King,'' Frank Yankovic, who died yesterday at age 83.

Frank Yankovic was from Cleveland, OH, but he had fans not just in Ohio but all over America. He brought joy to millions with his lighthearted polka hits—songs whose very titles can occasion a smile—songs like and ''Champagne Taste and a Beer Bankroll'' and ''In Heaven There Is No Beer.''

Frank Yankovic won a Grammy Award, and was nominated for three more. With his passing, the world of music, and indeed all Americans who believe that music is supposed to be fun, have lost a true friend.

The voice of Frank Yankovic resounds through the decades, asking the question that most everyone in northeast Ohio grew up with: ''Who stole the kishkes?''

Mr. President, it is my hope and strong belief that St. Peter is even now answering this question for Frank Yankovic—as he welcomes him to the polka band that used to be known as the heavenly choir.

On behalf of the people of Ohio, let me say thank you to this great Ohioan—for a lifetime of entertainment.

TRIBUTE TO MARIAN BERTRAM

Mr. DASCHLE. Mr. President, as the 105th Congress comes to a close, I take this opportunity to express my appreciation, and I think the appreciation of all Members on our side of the aisle, and particularly the staff of the Democratic Policy Committee, to an individual who has dedicated 27 years to public service and the United States Senate. Marian Bertram, the personable and talented Chief Clerk of the Democratic Policy Committee, is leaving the Senate at the end of this year.

Marian, who began her work at the Democratic Policy Committee in 1971, has served four Democratic Leaders—Mike Mansfield, ROBERT BYRD, George Mitchell and myself. She has an unparalleled knowledge of the legislative process. Since its inception and for many years thereafter, she had the major responsibility of reaching and writing one of the Committee's most popular publications, the Legislative Bulletin. Equally important, she has the vital and demanding responsibility for the production of Voting Records and vote analyses provided to all Democratic members.

In addition to her legislative work, Marian assumed the job of Chief Clerk of the Policy Committee in 1989. Through her competence and dedication and command of every detail of the Committee's operation and budget, she makes a major contribution to the smooth running of the Policy Committee.

Marian handles this broad range of responsibilities with professional skill, equanimity, and unfailing good humor. She will be dearly missed by her friends and colleagues in the Senate.

All of us offer Marian our sincere thanks and every good wish for her continued success. Thank you, Marian Bertram.

NOMINATION OF DR. JANE HENNEY TO THE FDA

Mr. NICKLES. Mr. President, I wish to speak on the nomination of Dr. Jane Henney to be Commissioner of FDA.

Mr. President, the nomination of the FDA commissioner is one of the most important nominations the Senate has considered this year. The FDA regulates products comprising twenty-five cents of every dollar spent by consumers in this country. It deals with literally life and death issues on a daily basis. Given the significant impact the FDA has on the life of every American, it is important that the Senate exercise caution to ensure the next Commissioner is qualified and capable of leading the Agency.

I have let Dr. Henney know, and I let Secretary Shalala know, that I had some concern with FDA as it has been administered for the last few years. The FDA should be a non-partisan science based Agency which focuses solely on its mission to ensure the safety of food and to expeditiously review drugs and medical devices which are intended to save and extend lives. And for this reason I felt I needed personal assurance from Dr. Henney that under

her leadership the FDA would focus on its Congressionally mandated mission.

FDA is supposed to be an agency that works to improve our health, that works to make sure that drugs and other medical devices are safe and effective. What we have found, under Dr. Kessler's regime, particularly during the Clinton administration, was that the FDA was involved in a lot of political activity. Under the leadership of David Kessler, the Agency too often became a tool of the Administration to push its liberal political agenda. One area where this was particularly offensive was the FDA's attempt to regulate tobacco.

Let me give an example of where I believe they exceeded their authority. In my State, just recently—I tell my colleagues, this is going to happen in every State—an FDA talking paper announced that ''FDA Partners With Oklahoma To Protect Children From Tobacco.''

The Food and Drug Administration has contracted with the Oklahoma State Dept. of Health to enforce the FDA's new regulation that prohibits retailers from selling cigarettes and smokeless tobacco to children under 18.

I will go on:

Under the contract, the State of Oklahoma will receive [$312,000] to conduct approximately 4,500 unannounced retail compliance checks over the next 12 months.

It goes on:

The FDA will seek a fine of $250 for the second violation, $1,500 for the third [violation], $5,000 for the fourth, and $10,000 for the fifth.

So, if a convenience store doesn't comply and they don't check IDs—and they have to check IDs up to age 27. In Oklahoma, it is legal to smoke when you are 18—but if a youngster, who is maybe 19, working in a convenience store, doesn't check somebody's identification who might be 26 or 27 years old, they can be fined up to $10,000. Somebody might say, ''Where is this idea originating? It is legal for them to smoke, but if they don't check IDs of somebody up to age 27 they can be fined $10,000?''

This is implementing FDA's regulation. FDA's regulation, in my opinion, is unconstitutional. They don't have the authority to write the law.

The Constitution says in article I, section 1:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Where did this regulation come from? It came from FDA, and it came from the FDA Administrator, working with the Clinton administration, to basically implement a very, I think, political agenda. I might mention that the regulations are being contested in court, and most of those regulations are being thrown out. In fact, on August 14, 1998, the Fourth Circuit Court of Appeals ruled that Congress did not intend to give the U.S. Food and Drug Administration (FDA) the authority to regulate tobacco. In a 2–1 decision the Appeals Court tossed out a 1997 federal district court ruling that gave FDA only limited power to regulate tobacco. ''The FDA has exceeded the authority granted to it by Congress.'' So said Circuit Judge H. Emory Widener Jr., on behalf of the three-member panel.

I happen to favor regulation on tobacco, but I think Congress needs to act on it. The FDA does not have the authority to create it out of whole cloth, which is certainly what they did. I favor some decent regulations. I don't favor the idea of having a team of people making 4,500 unannounced retail compliance checks all over my State and the Federal Government spending over $300,000 implementing this type of plan, or having the regs be so ridiculous we are going to be checking IDs up to age 27. I don t support regulations that allow the FDA to fine people and businesses who don't comply, up to $10,000 per violation, basically, fining them out of existence. That doesn't make sense.

Mr. President, I ask unanimous consent that at the conclusion of my statement, an FDA talking paper, which announces this implementing regulation which has the force and effect of fines up to $10,000, be printed in the RECORD.

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

(See Exhibit 1.)

Mr. NICKLES. Mr. President, another area where I have seen FDA become very involved in the political arena deals with the abortion drug RU–486. I have a press release that is dated May 16, 1994. The headline is: ''Roussel Uclaf Donates U.S. Patent Rights for RU–486 to Population Council.''

The first paragraph says:

HHS Secretary Donna E. Shalala announced today that French pharmaceutical company Roussel Uclaf, at the encouragement of the Clinton administration, is donating, without remuneration, its United States patent rights for mifepristone (RU–486) to the Population Council, Inc., a not-for-profit corporation.

Then further in the press release it says:

''FDA will do all it can to quickly evaluate mifepristone,'' said Shalala.

I ask unanimous consent that this press release be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 2.)

Mr. NICKLES. Mr. President, this is an administration that had FDA go out and recruit a company that manufactures RU–486, a French company, to donate its patent rights to a group which is an abortion proponent in the United States and then was doing everything they could to expedite the process.

RU–486 is an abortion pill which terminates the life of a human embryo between FOUR weeks and NINE weeks. It is NOT a contraceptive as some would have us believe. It is a drug which will stop the beating heart of an unborn child.

In January 1993, President Clinton issued a memo to Sec. Shalala directing her to promptly ''assess initiatives by which HHS can promote the testing and manufacturing of RU–486 in the US.''

Thereafter, the FDA engaged in negotiations with Roussel Uclaf, French manufacturer and holder of US Patent rights, regarding the testing and marketing of RU–486 in the US.

In May 1994, Shalala issued this press release, I mentioned, announcing the deal and promising FDA would do everything it could to ''quickly evaluate the drug.'' FDA pushed the drug through the review process in a fraction of time required for most drugs.

FDA's Center for Drug Evaluation and Research reported that the median total review time for new drug applications in 1996 was 14.8 months. FDA review time for RU–486 was only 6 months.

At a time when the agency was struggling to approve drugs which cure diseases and save lives, the Agency was focusing a great deal of time and effort on a political agenda which would end the life of an unborn child.

I am offended by that, and I asked Dr. Henney:

Are you going to be promoting an abortion drug? Is that what an FDA Commissioner is supposed to do? Is that their purpose?

I thought the purpose of FDA was to make sure drugs were safe and effective and that medical devices are safe and effective so people can have some confidence in these products. I didn't know it was the purpose of FDA to recruit companies to bring abortion drugs to into this country. That is clearly not their purpose.

After talking with Dr. Henney, she assured me that wasn't her intention. She gave me a letter, and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 3.)

Mr. NICKLES. Mr. President, the concluding sentence of her letter says:

If I am confirmed as Commissioner, I would not solicit a manufacturer for RU–486.

She also says:

As a general matter, I believe the Agency should only solicit product applications in extraordinary circumstances in which there is a clear public health need.

Certainly trying to recruit a manufacturer and provider of abortion drugs doesn't fit in that category, and I appreciate her statement she will not solicit a manufacturer of RU–486.

It bothers me that the Secretary of Health and Human Services and this Clinton administration have done so much to circumvent the process, to use FDA in the process. I think it is politicizing an agency that is supposed to be focused on its mission to protect the public health and to expeditiously review drugs and medical devices that will save and extend life.

Mr. President, I also met with Secretary Shalala a couple of times and

wanted assurances from her that the Department of Health and Human Services would interpret the law as written, would enforce the law as written and not try to rewrite it.

Unfortunately, we found out that the Department of Health and Human Services was trying to redefine the Hyde amendment which Congress defined. They were trying to redefine it to broaden the exceptions.

The Hyde amendment, as most of my colleagues know, says we will not have Federal funding for abortion except for in cases of rape, incest or to save the life of the mother. There is not a mental health exemption in that. Many people have tried to put it in. The administration has. But we clearly defined it, Congress defined it as the Hyde amendment, no mental health exception.

I have a letter from Secretary Shalala that says this activity will cease and they will interpret the Hyde amendment as written.

We also found, Mr. President, that under the Kidcare Program HHS had misinterpreted the abortion language. We made it very clear in three different sections in that law that abortion was not going to be a fringe benefit which we were going to provide for teenagers. We made the language very, very clear.

Much to my consternation, we were contacted by officials of the State of Virginia who said HHS was trying to mandate that they have abortion services covered even though it was certainly their wish and option that they didn't want that to be the case.

After meeting with Secretary Shalala, and after an exchange of several letters, she finally assured me that wasn't the case. I will insert her letters and mine and Representative BLILEY's letter into the RECORD. But we now have assurances from Secretary Shalala. I will read the last part of her letter sent to me on October 15:

> States are not required to provide abortion services, including abortion services for which coverage is permissible under title XXI of the Social Security Act, under any of the S-CHIP—

That is the State Children's Health Insurance Program—

> benefit package options in section 2103. No State will be denied approval of its S-CHIP plan because its benefit package under section 2103 does not include coverage of abortion services, including abortion services for which coverage is permissible under title XXI.
>
> Thank you for your interest in this matter.

I am pleased that Secretary Shalala agreed with us that she would interpret the law as written, and that includes both the Hyde language and language in the Kidcare program dealing with abortion. I am pleased that I have assurances from Dr. Henney that if she is confirmed Commissioner of FDA, she will not recruit manufacturers and providers for an abortion drug, including RU–486.

Mr. President, I ask unanimous consent that this entire set of letters be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 4.)

Mr. NICKLES. Mr. President, it is my intent to support the nomination of Dr. Henney. After meeting with her a couple of times, and having discussions on these and other issues, I am confident that she will be a very able administrator who will not play politics. In my opinion, she doesn't have a political agenda, and I believe she will try to administer the Food and Drug Administration as a professional organization to make sure that drugs and medical devices are safe and effective for America's population, and that she won't try to implement legislation through regulation.

Mr. President, I wasn't the only Senator who had reservations about this nominee. I had reservations until we could get certain clarifications. I received those. I have asked they be printed in the RECORD to substantiate the progress that was made, and I urge my colleagues to support her nomination.

I yield the floor.

EXHIBIT 1

[From FDA Talk Paper, Oct. 2, 1998]

FDA PARTNERS WITH OKLAHOMA TO PROTECT CHILDREN FROM TOBACCO

The Food and Drug Administration (FDA) has contracted with the Oklahoma State Dept. of Health to enforce FDA's new regulation that prohibits retailers from selling cigarettes and smokeless tobacco products to children under 18.

Under the contract, the State of Oklahoma will receive $312,386.75 to conduct approximately 4,500 unannounced retail compliance checks over the next 12 months. Minors in typical dress, accompanied by an adult, will attempt to purchase cigarettes or spit tobacco in retail stores throughout the State of Oklahoma.

Information about the compliance checks will be sent to FDA, which will issue a warning for the first violation to retailers found selling to the adolescents. These retailers will be subject to repeat inspections. FDA will seek a fine of $250 for the second violation, $1,500 for the third, $5,000 for the fourth, and $10,000 for the fifth.

The first provisions of FDA's final rule to protect children from tobacco took effect Feb. 28, 1997, making age 18 the national minimum age to purchase tobacco products and requiring retailers to check photo IDs of anyone under age 27. These measures are part of a comprehensive program designed to reduce by half the number of young people who smoke in the next seven years. FDA published the final rule Aug. 28, 1996, with provisions that limit access by children and adolescents to tobacco products and reduce the appeal these products have for underage smokers.

Children and adolescents have long had easy access to tobacco products. In 13 studies reviewed by the Surgeon General, minors were successfully able to buy cigarettes 67 percent of the time.

In fact, 3,000 children and adolescents become regular smokers every day, and nearly 1,000 will die prematurely from a smoking-related disease.

On Aug. 14, 1998, a majority of a three-judge panel of the U.S. Court of Appeals for the Fourth Circuit in Richmond, Va., ruled that FDA lacks the jurisdiction to regulate tobacco products, reversing the decision of the U.S. District Court for the Middle District of North Carolina. However, the Department of Justice is seeking review of this decision by the full Fourth Circuit. Under the court of appeals' rules, unless otherwise directed by the Fourth Circuit, the effect of the decision is automatically stayed, meaning the status quo is maintained until the Court has the opportunity to rule on the government's rehearing request. This means, pending the Court's review, the parts of the FDA tobacco program that have been in effect since February 1997 will remain in effect and that state contracts such as this one with Oklahoma continue to be awarded and implemented.

This case involves an appeal of an April 25, 1997, decision from Judge William Osteen of the U.S. District Court in Greensboro, N.C. He ruled that FDA has jurisdiction under the Food, Drug and Cosmetic Act to regulate nicotine-containing cigarettes and smokeless tobacco. The court upheld all restrictions involving youth access and labeling, including the two provisions that went into effect Feb. 28.

The State of Oklahoma is one of 53 states and territories that are eligible to contract with FDA. FDA will use a portion of the $34 million it has budgeted this year to assist states in enforcing the regulation and to educate retailers and the general public on the new provisions that went into effect in last February. President Clinton has requested $134 million for tobacco regulation in his FY 1999 budget submission to Congress.

EXHIBIT 2

[From Eagle Forum, Oct. 9, 1998]

ROUSSEL UCLAF DONATES U.S. PATENT RIGHTS FOR RU–486 TO POPULATION COUNCIL

HHS Secretary Donna E. Shalala announced today that French pharmaceutical company Roussel Uclaf, at the encouragement of the Clinton administration, is donating, without remuneration, its United States patent rights for mifepristone (RU–486) to the Population Council, Inc., a not-for-profit corporation.

RU–486 has been marketed for non-surgical termination of pregnancies in France, the United Kingdom and Sweden. The drug is also under study for labor induction, contraception, Cushing's syndrome, endometriosis, meningioma and breast cancer.

''We strongly believe that women in America should have access to the full range of safe and effective alternatives to surgical abortion,'' Shalala said. ''The donation announced today is a big step in that direction.''

On Jan. 22, 1993, President Clinton signed a Presidential Memorandum directing the Department of Health and Human Services to assess initiatives to promote the testing and licensing of RU–486 in the United States.

Shalala commended Roussel Uclaf and the Population Council for coming to closure after months of complex negotiations amid repeated urging from the Clinton administration.

Shalala emphasized, however, that the donation does not mean RU–486 has been approved for use in the United States. The Population Council must conduct clinical trials, identify a manufacturer and submit a new drug application to the Food and Drug Administration.

''The FDA will do all it can to quickly evaluate mifepristone,'' said Shalala. ''FDA's decision will be based solely on the scientific and medical evidence as to the safety and efficacy of the drug. That is our responsibility to the women of America.''

HHS FACT SHEET

MIFEPRISTONE (RU–486). BRIEF OVERVIEW, MAY 16, 1994

On Jan. 22, 1993, in one of his first official acts, President Clinton issued a memorandum directing HHS Secretary Donna E. Shalala to assess initiatives to promote the testing and licensing of mifepristone (RU–486) in the United States.

During early 1993, Secretary Shalala and FDA Commissioner David Kessler communicated with senior Roussel Uclaf officials to begin efforts to pave the way for bringing RU–486 into the American marketplace.

In April 1993, representatives of FDA, Roussel Uclaf and the Population Council, a not-for-profit organization, met to discuss U.S. clinical trials and licensing of RU–486. Over the last year, the parties continued their negotiations, culminating in the donation announced today. Roussel Uclaf will transfer, without remuneration, its United States patient rights to mifepristone to the Population Council. In turn, the Population Council will take the necessary steps to bring RU–486 to the American market.

Mifepristone was developed by the French firm Roussel Uclaf. The drug has been marketed for use to non-surgically terminate pregnancy in France, the United Kingdom and Sweden. There are several investigative trials underway with FDA for other uses of the drug, including contraception, labor induction, Cushing's syndrome, endometriosis, meningioma and breast cancer.

It must be recognized that termination of a pregnancy is not a simple medical procedure, whether it is done surgically or through a medical regimen. In France, the United Kingdom and Sweden, where RU–486 has been administered to approximately 150,000 women, the procedure requires several visits to the medical facility, a precisc dosing scheme using two different drugs, and close monitoring to care for women who may experience excessive bleeding or other complications. Any use of mifepristone in the United States would have to follow the same type of strict distribution and use conditions.

EXHIBIT 3

OCTOBER 14, 1998.

Hon. DON NICKLES,
Assistant Majority Leader,
U.S. Senate, Washington, DC.

DEAR SENATOR NICKLES: Thank you for meeting with me and Secretary Shalala concerning my nomination to be Commissioner of the Food and Drug Administration (FDA). I appreciate the time and consideration that you have given to my nomination.

I want to take this opportunity to restate that during my earlier service at FDA (1992–1994) I was not involved either in the solicitation or the review of the RU–486 application. As a general matter, I believe the Agency should only solicit product applications in extraordinary circumstances in which there is a clear public health need.

If I am confirmed as Commissioner, I would not solicit a manufacturer for RU–486.

Thank you again for considering my nomination.

Sincerely,

JANE E. HENNEY, M.D.

EXHIBIT 4

CONGRESS OF THE UNITED STATES,
Washington, DC, October 7, 1998.

Hon. DONNA E. SHALALA,
Secretary, Department of Health and Human Services, Washington, DC.

DEAR MADAM SECRETARY: Last July, the Health Care Financing Administration (HCFA) sent to state Medicaid directors a note correctly interpreting the Hyde Amendment as it was enacted in your Department's appropriations bill for FY 1998.

''The recently enacted Appropriations Act contained new requirements for federally funded abortions. One of those requirements is that, in order to receive federal funding, a physician must certify that a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.''

That directive forecloses any possible consideration concerning mental health. Yet it now appears that a HCFA departmental meeting has been scheduled to discuss whether some mental problems that have a physical origin might make a patient eligible for a taxpayer-funded abortion. This is the worst kind of bureaucratic loophole-knitting. It must stop.

We, therefore, call upon you to take immediate action to investigate and stop any activities that may be taken by officials at HCFA in an effort to circumvent the Hyde Amendment. We also request that you report back to us, by November 1, 1998, your findings regarding this investigation and the action taken by you to halt these activities.

Sincerely,

DON NICKLES,
Assistant Majority Leader,
U.S. Senate.

HENRY J. HYDE,
Chairman, Committee on the Judiciary,
U.S. House of Representatives.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,
Washington, DC, October 12, 1998.

Hon. DON NICKLES,
Assistant Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR NICKLES: Thank you for the letter from you and Chairman Hyde concerning the Department's interpretation of the Hyde amendment as it affects federally funded abortions. As you know, I take very seriously the Department's obligation to fully implement the law as enacted by the Congress, Nancy Ann DeParle, the Administrator of the Health Care Financing Administration (HCFA), shares this commitment.

Let me assure you that in order for federal funds to be used to cover abortion, a physician must certify that a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused or arising from the pregnancy itself, that would place the woman in danger of death unless an abortion is performed.

We have no intention to instruct states on this issue other than to reiterate the statutory obligation that must be met to utilize federal funds for legally permissible abortions.

I trust this addresses your concerns. Please let me know if I can be of further assistance in this matter. An identical letter has been sent to Chairman Hyde.

Sincerely,

DONNA E. SHALALA.

U.S. SENATE, OFFICE OF ASSISTANT MAJORITY LEADER,
Washington, DC, October 7, 1998.

Hon. DONNA E. SHALALA,
Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR MADAM SECRETARY: It has come to our attention that the Health Care Financing Administration (HCFA) is wrongly interpreting provisions included in the Balanced Budget Act of 1997 (BBA) regarding Title XXI of the Social Security Act. Despite the clarity of the law, your agency is seeking to compel States to cover abortions under their State Children's Health Insurance Program (S–CHIP) plans HCFA's actions are in direct contravention of the Balanced Budget Act of 1997.

As you are aware, Congress codified the Hyde language in the new Title XXI language establishing the S–CHIP program (See sections 2105(c)(1), 2105(c)(7) and 2110(a)(16)). This language prohibits the use of funds under this program to pay for any abortion or to assist in the purchase, in whole or in part, of health benefit coverage that includes coverage of abortion except where the abortion is necessary to save the life of the mother or if the pregnancy is the result of an act of rape or incest.

Of particular relevance to the current dispute is the fact that in each of the aforementioned sections, even this limited scope of permissible abortion payment or coverage is triggered by the extent (if any) to which a State elects to include abortion payment or coverage in its S–CHIP State plan. As a result, there exists no requirement that States cover abortions in the case of rape, incest, or life endangerment. Rather, these are the only instances in which a State which chooses to pay for abortions or abortion coverage may do so.

In addition to codifying the Hyde amendment, Congress explicitly distinguished in BBA between abortion and medically necessary services under Title XIX of the Social Security Act (See section 4707(e)(1)). By citing abortion as an exception to the standard of medical necessity, Congress removed the basis upon which Medicaid coverage of abortion was previously required.

Based on these provisions of law, HCFA has no authority to require any State to provide abortion coverage as part of their Title XXI program. As a result, any disapproval of a State plan on these grounds is contrary to law. We request your immediate written assurance that HCFA will no longer require States to cover abortions under their S–CHIP plans.

Sincerely,

DON NICKLES,
Assistant Majority Leader.

TOM BLILEY,
Chairman, Committee on Commerce.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,
Washington, DC, October 3, 1998.

Hon. DON NICKLES,
Assistant Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR NICKLES: Thank you for the letter from you and Chairman Bliley concerning abortion coverage under the Title XXI State Children's Health Insurance Program (S–CHIP). As explained in greater detail below, states do have the discretion to determine whether to provide coverage for permissible abortion services in their S–CHIP programs.

First, let me say that we have gone to great lengths to ensure that the Department's implementation of the S–CHIP program is consistent with congressional intent and flexible to meet the needs and circumstances of individual states. We have consulted frequently with Members of Congress and staff on a bipartisan basis, and have worked with state officials to facilitate the implementation of their programs. To date, we have approved 42 state plans under the Title XXI program.

In addition to the Title XXI Medicaid expansion option, states have three options for insurance coverage under the S–CHIP program, Benchmark, Benchmark-Equivalent, or Secretary-Approved Coverage. States are

free to exclude coverage for permissible abortion services in their Benchmark (provided a state's Benchmark plans does not cover abortions) or Benchmark-Equivalent options.

To ensure as much consistency as possible in our approval process, we have limited the exercise of our discretion under the third option, Secretary-Approved Coverage, to cases in which the benefits offered under a state's S–CHIP program are the same as under its Medicaid plan. This provided state with the flexibility to use their existing Medicaid programs and structures without have to extend an entitlement to new S–CHIP enrollees. Given the substantial flexibility in design their benefit packages that states enjoy under the Benchmark and Benchmark-Equivalent options, this limited approach to Secretary-Approved Coverage does not unduly constrain the benefits options available to states.

Please let me know if I can be of further assistance on these issues. An identical letter has been sent to Chairman Bliley.

Sincerely,

DONNA E. SHALALA.

U.S. SENATE, OFFICE OF ASSISTANT MAJORITY LEADER,
Washington, DC, October 13, 1998.

Hon. DONNA E. SHALALA,
Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR MADAM SECRETARY: Thank you for your recent letter. While I appreciate your timely response, I would like specific answers to the concerns that were raised in my earlier letter. On behalf of chairman Bliley and me, I request your direct response to the following questions:

(1) On the basis of your letter dated October 13, 1998, is it the Department's view that the Hyde language contained in the S–CHIP program does not require states to provide abortion coverage in the circumstances where the abortion is necessary to save the life of the mother or if the pregnancy is the result of an act of rape or incest (See section 2105(c)(1), 2105(c)(7), and 2110(a)(16))?

(2) Is it your contention that a state which covers elective abortions under Medicaid and which opts to offer ''Secretary-approved coverage'' under S–CHIP must cover elective abortions for teenage girls under its S–CHIP program?

(3) In light of your letter, is it your contention that abortion is no longer considered a ''medically necessary'' service under the Medicaid program (See section 4707(e)(1)?

(4) In what manner do you view abortion as ''appropriate coverage for the population of targeted low-income children proposed to be provided such coverage'' by Virginia or any other state which submits an application for Secretary-approved coverage (See section 2103(a)(4))?

Again, I request your immediate written response to the questions above. Thank you in advance for your cooperation.

Sincerely,

DON NICKLES,
Assistant Majority Leader.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,
Washington, DC, October 14, 1998.

Hon. DON NICKLES,
Assistant Majority leader, U.S. Senate, Washington, DC.

DEAR SENATOR NICKLES: Thank you for your most recent letter and the opportunity to clarify our October 13, 1998 response concerning coverage of abortion services under the Title XXI State Children's Health Insurance Program (CHIP).

I would like to clarify my response to you concerning the conditions under which I would approve CHIP benefit packages for Title XXI non-Medicaid state programs (S–CHIP). In general, our policy has been that a state must provide a benefit package that is equal to, or better than, Benchmark or Benchmark-Equivalent Coverage. In my letter to you yesterday, I stated that we have limited the exercise of our discretion under the Secretary-Approved Coverage option to cases in which the benefits offered under a state's S–CHIP program are the same as under its Medicaid plan. Indeed, we decided as a matter of policy in devising our S–CHIP implementation process that this approach provided an important benefit option that states might not otherwise have.

However, after asking staff to review our records yesterday, it appears that in addition to Medicaid plans, we may have considered as Secretary-Approved Coverage other benefit packages. This occurred in instances in which a state provided benefits in excess of the statutorily defined Benchmarks. Apparently, there was discussion in the Department that it might be desirable to use the Secretary-Approved Coverage option for states that want to provide more benefits than required by law without requiring them to submit a formal actuarial estimate.

As a result of this review of our records and staff deliberations, I have decided that as long as a state proposed to provide benefits in excess of Benchmark Coverage, states will not be required to cover permissible abortion services under the Secretary-Approved Coverage option. We have already informed you that states are free to exclude coverage for permissible abortion services in their Benchmark (provided a state's Benchmark plan does not cover abortions) or Benchmark-Equivalent options.

I would like to address the specific questions you raised in your October 13, 1998 letter.

(1) On the basis of your letter dated October 13, 1998, is it the Department's view that the Hyde language contained in the S-CHIP program does not require states to provide abortion coverage in the circumstances where the abortion is necessary to save the life of the mother or if the pregnancy is the result of an act of rape or incest (See Section 2105 (c)(1), 2105 (c)(7), 2110 (a)(16))?

As discussed above, states are not required to provide permissible abortion services under any of the three S-CHIP program options. However, to the extent that a state chooses a package that covers abortion services under the Benchmark option, they must provide these services to the extent they are allowed under the CHIP statute.

(2) Is it your contention that a state which covers elective abortions under Medicaid and which opts to offer ''Secretary-approved coverage'' under S-CHIP must cover elective abortions for teenage girls under its S-CHIP program?

As discussed above, states are not required to cover permissible abortion services in order to receive Secretary-Approved Coverage. States do, however, have to offer at least the scope of benefits provided in their Benchmark plan.

(3) In light of your letter, is it your contention that abortion is no longer considered a ''medically necessary'' service under the Medicaid program (See section 4707(e)(1))?

We do not believe that Section 4707(e)(1) affects whether abortion services are medically necessary services under Medicaid. As a general matter, this section of the law describes the intermediate sanction regime a state must put in place in implementing the law. It does not affect the scope of benefits required under a state plan. Specifically, Section (e)(1)(A) permits states to provide for sanctions against any Medicaid managed care organization contracting with a state if that organization fails substantially to provide medically necessary items and services under the law or the organization's contract. Accordingly, if a managed care entity has agreed by contract to provide those services and does not do so, it may be sanctioned by operation of this section of the law. Notwithstanding that provision, Section (e)(1)(B) instructs that there shall not be any sanction imposed on a managed care entity that has contracted with a state and that fails or refuses to provide abortion services, so long as the contract itself reflects no obligation to provide such services. Moreover, the inclusion of these provisions strongly indicates that abortion services are medically necessary services under the Medicaid program, otherwise an exception to the general rule would not have been included.

(4) In what manner do you view abortion as ''appropriate coverage for the population of targeted low-income children proposed to be provided such coverage'' by Virginia or any other state which submits an application for Secretary-approved coverage (See Section 2103(a)(4))?

Abortion services may be covered under Section 2103(a)(4) to the extent that a state chooses to include coverage for permissible abortion services in its otherwise qualified plan. Limited abortion services qualify as covered services under Section 2110(a)(16) of the CHIP law.

I hope this information addresses your concerns. Please let me know if you would like to discuss this matter further.

Sincerely,

DONNA E. SHALALA.

U.S. SENATE, OFFICE OF ASSISTANT MAJORITY LEADER,
Washington, DC, October 15, 1998.

Hon. DONNAL E. SHALALA,
Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR MADAM SECRETARY: Thank you for your letter of October 14. Chairman Bliley and I have analyzed your responses to the questions posed in the October 13 letter and continue to have grave concerns about the manner in which the Department interprets the plain legislative language of Title XXI of the Social Security Act. In particular, your most recent response states, in part, that ''to the extent that a state chooses a package that covers abortion services under the Benchmark option, they *must* provide these services to the extent they are allowed under the CHIP [*sic*] statute.'' (emphasis added)

This interpretation has no basis in the statutory language of the State Children's Health Insurance Program (SCHIP). Section 2103 defines the various options that states have in crafting the benefits package offered through their SCHIP plan. In every instance, states are given the full discretion to establish the specific benefits to be offered to children covered under the state's SCHIP plan. We call your attention to the explicit use of the terms ''equivalent'' in Section 2103(a)(1) relating to Benchmark Coverage and Section 2103(a)(2) relating to Benchmark-Equivalent Coverage. We also call your attention to the ability of states to ''modify'' the benefits package offered through Section 2103(a)(3), as provided in 2103(d)(2).

We appreciate your recognition, as stated in your October 14 response, that ''states are not required to provide permissible abortion services under any of the three S–CHIP program options.'' We also appreciate your recognition, as stated in the same letter, that states are not required to provide abortion coverage under the Secretary-Approved Coverage option (Section 2103(a)(4).

However, your continuing assertion that any requirement exists in Title XXI of the Social Security Act compelling states to

provide abortion coverage or services is unacceptable and contrary to public law.

Once again, we request your immediate written response to the concerns stated above. In addition, I invite your staff to meet with our staff as soon as possible to explain the legal basis for the interpretation presented to us in your October 14 letter. Thank you in advance for your cooperation.

Sincerely,

DON NICKLES,
Assistant Majority Leader.

DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
Washington, DC, October 15, 1998.

Hon. DON NICKLES,
Assistant Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR NICKLES: I wanted to provide further information with respect to issues discussed in our recent correspondence.

States are not required to provide coverage of abortion services, including abortion services for which coverage is permissible under Title XI of the Social Security Act, under any of the S–CHIP benefit package options in section 2103. No state will be denied approval of its S–CHIP plan because its benefit package under section 2103 does not include coverage of abortion services, including abortion services for which coverage is permissible under Title XXI.

Thank you for your interest in this matter.

Sincerely,

DONNA E. SHALALA.

TRIBUTE TO SENATOR KEMPTHORNE

Mr. ABRAHAM. Mr. President, I rise to pay tribute to the Junior Senator from Idaho, Mr. KEMPTHORNE. My wife, Jane, and I got to know DIRK and his wife, Pat, soon after I came to Washington, and they have been good friends. Pat and DIRK are simply wonderful people, whose warmth and civility make the Senate a better place.

DIRK KEMPTHORNE has brought his energy and goodwill with him to the Senate every day, making it a better place in which to work and, I am sure, improving our ability to work together to pass constructive legislation. In addition, he has brought tremendous insight and common sense to the legislative process. I am proud to have worked with him in passing Unfunded Mandates legislation in 1995. This bill, which Senator KEMPTHORNE managed on the floor, is an important step forward for American small business and its passage could not have been secured without his able leadership.

Whether as a key member of the Small Business Committee, as Chairman of the Drinking Water, Fisheries, and Wildlife subcommittee of the Environment and Public Works Committee, or as Chairman of the Personnel Subcommittee of the Armed Services Committee, DIRK has brought strong leadership and reasoned argument to our public policy debates. He was instrumental in initiating the Congressional Commission on Military Training. He laid the groundwork for long overdue reforms to the Endangered Species Act; reforms that will protect our wildlife without unduly tampering with America's traditional commitment to private property rights.

DIRK has decided, in the interests of his family, to leave Washington and return to Idaho. While I am certain all of us here will miss him, he leaves a weighty record of achievement and will continue to serve as a model of Senatorial conduct for years to come. I know the people of Idaho will benefit greatly from his coming service as Governor and wish him, his wife and children, all the best in their return home.

ORGAN TRANSPLANT REGULATIONS

Mr. HATCH. Mr. President, I rise to speak on a patient care issue of enormous importance: regulations being promulgated by the Secretary of Health and Human Services (HHS) with respect to organ transplantation.

I have long championed the need for our country to bring the innovations of medical science to the forefront of patient treatment, be it through pharmaceutical development, gene mapping, or artificial organ development. Nowhere has this been more necessary than in the realm of organ transplantation.

Over 14 years ago, with the passage of the National Organ Transplant Act (NOTA), Congress intervened to advance medical science at a time when our health care system was not keeping pace with the tremendous advances medicine had to offer. As a result, we examined the role of the private sector and the Federal government in organ transplantation to formulate an equitable policy for individuals throughout this country to have access to organ transplantation when appropriate and necessary.

We needed a better system than that which existed at the time, and that is what NOTA established. As the author of the National Organ Transplant Act (NOTA) in 1984, which was cosponsored by our colleagues Sentors NICKLES, THURMOND, GRASSLEY and ROTH, I am proud of our accomplishment, and I continue to maintain a very keen interest in our country establishing and operating a viable, effective organ transplant network.

There is no question that passage of NOTA has allowed us to save thousands of lives. The medical community has been transplanting over 4,000 livers each year. We have seen valuable transplant technology and services spread from only a handful of research institutions to hospitals in rural America.

In my home State of Utah, LDS Hospital has been able to increase its liver transplant volume over 15-fold since its inception only 13 years ago. We have aspired to promote a system which allows medical science to reach the people it was meant to serve, and I believe we are in large part achieving that goal, in great measure due to enactment of NOTA.

Today, I stand before the the Senate to urge that we not precipitously reverse that work by allowing implementation of a new system which could threaten to undermine many of the successful organ transplant centers who are doing so much good in this Nation. Utah's own successful transplant center comes to mind, although centers in several other States such as Alabama, Louisiana, and South Carolina would also be jeopardized if this regulation goes into effect.

While we in America are fortunate to enjoy the best health care in the world, we also have concerns about the availability of life saving care should an organ fail. Advances in medicine have made once rare transplants commonplace. Yet, there is a scarcity of organs, despite the hard work of local organ procurement agencies, transplant centers, and, indeed, developers of artificial technology such as the work being done on artificial hearts at the University of Utah.

Added to this concern about the availability of organs is a growing anxiety about the impact of HHS's proposed transplant allocation rules. A large source of this concern is within the hard-working transplant community. In fact, the Department of Health and Human Services has indicated that more than 85% of the almost 18,000 comments received oppose the organ procurement transplant network final rule.

In particular, we are seeing a rising concern about variations in the availability of organs from region to region. The HHS response, which is to, in effect, nationalize distribution, seems logical at first, but upon further reflection is a flawed policy with potentially devastating near-term effects on many transplant centers. By diverting resources from relatively ''organ-rich'' to relatively ''organ-poor'' regions, the HHS rules penalize communities which have worked to build up successful programs, including those which have done so much to improve the harvesting rates of much-needed organs.

I commend Secretary Shalala for bringing the need to further improve the organ transplant system to the forefront. One positive step is the recent rule requiring all 5,200 U.S. acute care hospitals to notify an organ procurement organization of every death as a condition of Medicare participation. Health Care Financing Administrator Nancy Ann Min-Deparle estimates that this step alone will increase organ donations by up to 20 percent.

While this was a widely supported step, the proposed rules governing the Organ Procurement and Transplant Network have not enjoyed the same enthusiasm.

In January, I joined 41 other Senators who wrote to Secretary Shalaha expressing concern that the proposed final rule could be used as vehicle to turn organ allocation into a political process. Her response did not alleviate my concerns, nor those of the transplant community.

We cannot damage the public trust in the organ network, nor in the decisions

of health professionals who operate the transplant system. While it will never be an easy task to allocate such a critical scarce resource—organs—we cannot let this become nothing more than a turf war between large and small transplant centers.

Large centers play an important role by being at the heart of the innovations which have brought us the technical advances making current liver transplant possible. Smaller centers also make many contributions including making such technology more accessible to Americans. This allows the patient to be closer to family and loved ones during this stressful time.

We must find a way to increase the organs and reduce the perceived inequities in the current system. We need the facts to address the problem.

For this reason, I support the provision, which I understand will be contained in the omnibus appropriations bill, that will place a one-year moratorium on the implementation of the HHS rules. This moratorium will allow us to learn the facts necessary to improve the availability of transplantation.

Mr. President, what we have at stake is not just the amelioration of a flawed organ transplant procurement and allocation system, but the future of allocating scare health care resources of all types. It behooves us to proceed carefully on this matter of utmost concern.

ADDRESS OF PRESIDENT MARY MCALEESE OF IRELAND AT THE KENNEDY LIBRARY

Mr. KENNEDY. Mr. President, last Thursday, Mary McAleese, the President of Ireland, visited Boston and delivered an important address at President Kennedy's Library. In her address, she paid tribute to President Kennedy and to the long-standing ties between Ireland and the United States, and she spoke eloquently of the peace process in Northern Ireland and Ireland, and the people's hopes for lasting peace and a permanent end to the violence.

I believe that President McAleese's remarks will be of interest to all of us who care about these issues, and I ask unanimous consent that it be printed in the RECORD.

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

REMARKS BY THE PRESIDENT OF IRELAND, MARY MCALEESE AT A DINNER HOSTED BY THE KENNEDY LIBRARY FOUNDATION AT THE JOHN F. KENNEDY PRESIDENTIAL LIBRARY BOSTON, MASSACHUSETTS, OCTOBER 15, 1998

Senator and Mrs. KENNEDY, Mayor Menino and Distinguished Guests.

On behalf of Martin and myself, as well as our delegation, I want to thank you for your wonderful welcome and hospitality this evening. I would also like to acknowledge the presence here this evening of representatives of the Irish Times, who will be our co-hosts at the Institute of Politics at Harvard tomorrow.

It is truly a special moment for me to visit this remarkable Library and Museum, to join the members of your family who are here, and to share this occasion with so many friends of Ireland who are present.

Since its foundation the Library has represented the ideals of President Kennedy through a range of research and activities which is truly admirable. I wish to pay tribute to that achievement to you, Senator, to the Library's President Caroline Kennedy Schlossberg, to all of your family, as well as the dedicated Board and Staff who have worked so effectively to achieve this and of course to honour also the memory of Senator Robert Kennedy, particularly this year.

Just two years ago, as a private citizen, I came to visit here. As for thousands of other Irish visitors to Boston, we feel this is instinctively where we want to come. I was profoundly moved. The Library and Museum must surely be the most outstanding living testimony of its kind. For my generation, growing up in the 1960's, we were of course irrevocably shaped and motivated by that extraordinary time. It means a great deal to me, at a personal level, that my first official event in Boston as President of Ireland should be at the Kennedy Library—I can think of nowhere more appropriate.

When we visit here, we are of course sharply reminded of what we lost, butI would prefer to reflect on what we found, on the legacy which we have and the ideals which we must protect. The Kennedy Library is as much about our future as our past.

President Kennedy's Irish roots have never been forgotten. His election in 1960 was, for Irish people everywhere, a source of inspiration and joy. None of us will forget the impact of his visit to Ireland at a time of dramatic change and challenge in our own country. As he said in his address to our Parliament in 1963, ''our two nations, divided by distance, have been united by history.'' Those four days which President Kennedy spent in Ireland were unforgettable for all involved. His impact was total, for young and old alike. The words of Ralph Waldo Emerson, another son of New England, perhaps reflect the mood of that time.

He spoke and words more soft than rain
Brought the age of gold again:
His action won such reverence sweet
As hid all measure of the feet.

I am pleased to think that in just a few months time, next May, the Dunbrody ship from the President's own County Wexford will sail into this harbour, offering a powerful symbol of the Irish emigrant story and reminding us in particular of the arrival of the Kennedy family in the United States. The emigrant story is part of us all—for many of you here in this room who bear Irish names and constantly acknowledge and celebrate your Irish heritage.

One of the great achievements of this Library is the fact that it has established such an important place in the lives of the children of Massachusetts and beyond. Our future is in their hands, as it is also in Northern Ireland.

When Mrs. Hillary Clinton visited Northern Ireland last month, she addressed the Vital Voices Conference. She observed then that in Belfast today, a playground is being built with the advice of children on both sides of the community. They will be, literally, architects of their own environment. Since the Good Friday agreement reached last April, and the subsequent elections held in Northern Ireland this summer, all the people living in Northern Ireland have the chance to design and shape their own future. I know that all of you here shared the great joy of that time.

The day of the Agreement, however Senator George Mitchell, who did so much to bring the Agreement about, noted that this would not yet put an end to violence and unfortunately this proved to be true. However, despite the awful event in Omagh and other recent tragedies, the Agreement does represent the best opportunity yet for a new beginning, for new structures, for real democracy and equality and for lasting peace. The referendums of this summer have put beyond all doubt that the Agreement is the democratic mandate of the people to their political leaders. A great deal of progress has been made already in forging new partnerships at political, economic and social levels. Difficult work and challenges lie ahead in all of these areas, but, with your help, we are now firmly established on the road to a peaceful future.

Tomorrow morning, I look forward to paying tribute to an important and tragic part of that heritage when I visit the Famine Memorial in Boston with Mayor Menino and Tom Flatley. That Memorial, on your Freedom Trail, is a sombre and important reminder of the devastation of that time and of Boston's central place in that story.

But we know too that the story of the Irish in Massachusetts in this century is one of overcoming adversity, endeavour, courage and success. Few of us would have dared to dream of how far that success could eventually reach, in 1998, in terms of political achievement and economic prosperity. The United States, President Clinton, and outstanding leaders such as Senator Kennedy, have played a central role in both.

To Jean, I want to offer our gratitude, affection, and highest respect. Jean, to borrow the Senator's phrase, came back in the springtime. She not only made thousands of friends in Ireland, she became a pivotal figure in our quest for peace. We will miss her very much. She leaves, however, with the satisfaction of knowing that her legacy will remain and that her good work will continue at the American Embassy in Dublin.

The tour which we have just enjoyed serves as a powerful reminder both of President Kennedy's life and work but also of the challenges which face us all and particularly those dedicated to public service. This institution reminds us of the challenges of public service and of the obligation which we all share to improve the lives of all, while cherishing the ideals of equality, justice and mutual tolerance. The values inherent in good public service are eloquently represented in this Library. We all need to reinforce those principles constantly in our lives and above all through political leadership.

I want to particularly acknowledge the exceptional support from Massachusetts and the city of Boston for their sustained efforts over the years to promote economic development in Northern Ireland. Many of you will be familiar with the tireless work of John Hume, the SDLP leader, with Boston-Derry Ventures to bring much needed jobs to the Derry area. Northern Ireland today continues to rely on your economic assistance. In that regard, I too would like to pay tribute to the generosity and leadership shown by figures such as John Cullinane, present here tonight—and the ''Friends of Belfast'' who are supporting the economic regeneration there, which is so necessary to underpin the Agreement and the peace process. Indeed, I know that here in the Kennedy Library on Tuesday there was a major event to promote economic investment in Northern Ireland.

I would also like to acknowledge the tremendous support that John Cullinane is giving to the creation of a National Military

Museum at the National Museum of Ireland—which will recognise the enormous contribution of Irish nationals serving in many armies and in many countries over the past 250 years—including those who served with distinction in the Armed Forces of the United States—and of course the two hundred thousand from all parts of Ireland, who were proud to serve in the British Army during the First World War—so many of whom paid the ultimate price.

The hopes and ideals which we all share for Northern Ireland are represented and cherished under this roof each and every day. As I conclude, I can do no better than to quote from the Library's own words, that in leaving here, we come away with new insights—we are all inspired by President Kennedys vision that one person can make a difference and that every person should try.

MILITARY READINESS AND THE DEFENSE BUDGET

Mr. THURMOND. Mr. President, over the past several weeks, the Senate Armed Services Committee held a series of hearings to review the status of our armed forces. I scheduled these hearings because I have been concerned for some time that the Administration's defense budget was inadequate to maintain readiness and because members and staff were bringing back anecdotal information indicating the readiness of our armed forces was declining.

On September 29, the committee heard from General Shelton, the Chairman of the Joint Chiefs of Staff, and other members of the Joint Chiefs, General Reimer, Admiral Johnson, General Ryan, and General Krulak. The hearing has been described by the media as adversarial, however, I would describe it as open, candid and productive. It was not surprising that the Chiefs acknowledged the U.S. military is falling into a readiness crisis and faces the danger of becoming a ''hollow'' force if appropriate measures are not taken. They specifically indicated the need for additional resources now and in the out years. Most illustrative of the testimony is the following quote by General Shelton:

> I must admit up front that our forces are showing increasing signs of serious wear. Anecdotal and now measurable evidence indicates that our current readiness is fraying and that the long-term health of the Total Force is in jeopardy.

Mr. President, on October 6, the committee followed up the hearing with the Joint Chiefs of Staff, with a hearing at which Secretary of Defense Cohen and General Shelton testified. Although the focus of the hearing was to be primarily on world trouble spots, the readiness status of our forces also became a subject of intense debate. Secretary Cohen reiterated the concerns of the service chiefs and indicated that he would seek additional funds in the fiscal year 2000 budget.

Mr. President, the indicators that most concerned the service chiefs and brought them to the realization that readiness was clearly declining included downturns in recruiting and retention, a shortfall in unit training, and widespread equipment breakdowns and spare parts shortages. These are basic indicators whose impact is felt throughout the ranks, in units throughout all the services and affect operations, training, morale and esprit de corps.

Mr. President, when pressed to explain the reasons for the decline in readiness, Secretary Cohen and the Joint Chiefs of Staff attributed the cause primarily to the high operational tempo and the under funding of the defense budgets. General Reimer encapsulated the problem in this way during the September 29 hearing:

> Soldiers are asking, ''When is it going to stop? When will the downsizing end? When will our leaders stop asking us to do more with less?'' Our soldiers are smart, hard working, and dedicated. They are also very tired.

For many of us, the acknowledged shortfall in defense spending is not a surprise. Last year, during the Senate debate on the budget resolution, I expressed my concerns that funding levels for defense considered in the budget agreement would not provide sufficient funds to adequately sustain over time the personnel, quality of life, readiness and modernization programs critical to our military services. Regretfully, my concerns have become a reality sooner than expected and we must now take measures to resolve these problems and reverse the decline in the readiness of our military services.

Mr. President, as long as the administration continues to pursue a foreign policy that requires the U.S. military to be a global police force, our troops will be challenged by an operational tempo higher than that of the cold war. If the administration persists in this endeavor, we must ensure that our armed forces have the funds to carry out these operations while maintaining a force structure that withstands the impact of the high operational and personnel tempos associated with our current aggressive foreign policy.

More importantly, we have the responsibility to correct those quality of life and modernization shortfalls identified during our hearings. General Shelton recommended the following:

> My recommendation is to apply additional funding to two very real, very pressing concerns. First, we need to fix the so-called REDUX retirement system and return the bulk of our force to the program that covers our more senior members—that is, a retirement program that provides 50 percent of average base pay upon completion of twenty years of service. Second, we must begin to close the substantial gap between what we pay our men and women in uniform and what their civilian counterparts with similar skills, training, and education are earning.

General Reimer described the modernization problem as follows:

> In order to preserve future readiness, we must begin today to increase our modernization accounts and to develop the equipment, force structures, professional development systems, training, and doctrine we will need to prepare for the future. And we must develop all these capabilities together.

Mr. President, during the October 29 hearing, Secretary Cohen assured us that he would address these problems in the fiscal year 2000 budget request. In my judgement, it would require a substantial increase in the defense budget to alleviate the problems recently acknowledged by the Joint Chiefs of Staff. During the hearings, the service chiefs testified they needed approximately $17.5 billion additional annually to correct the near and long term readiness problems. This amount does not include a pay increase nor does it include the funding necessary to change the retirement program.

With respect to the retirement issue, the Armed Services Committee will consider carefully the recommendations of the Secretary of Defense in his fiscal year 2000 budget request and will address this issue in the Defense authorization bill. Senator LEVIN and I wrote the Secretary of Defense on October 8 indicating that we believe he should conduct appropriate analyses to determine the greatest readiness payoff among the measures under consideration to improve recruiting and retention, including pay, retirement, housing, health care, personnel tempo, and morale and recreation programs and facilities. These analyses will be crucial to making the difficult funding decisions we will face next year. I ask unanimous consent that our letter of October 8 be printed in the RECORD following my remarks.

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

(See Exhibit 1.)

Mr. THURMOND. Mr. President, the Joint Chiefs described alarming indicators of declining readiness. I strongly believe that if there is an actual emergency that should be addressed in this omnibus supplemental bill, it should be military readiness. The Joint Chiefs testified that while the $1 billion readiness supplemental requested by the Department of Defense would be helpful, it is inadequate to maintain the readiness of our military forces. I believe that, as the highest priority, the Congress should have provided an emergency supplemental for military readiness of at least $2 billion. Mr. President, while I appreciate and commend the Chairman of the Appropriations Committee and the majority leader for negotiating this agreement under difficult circumstances, I regret that the final agreement provides only half that amount which I believe is required now to shore up our military readiness.

Mr. President, next year, we are going to have to face up to the serious fiscal problems our military services are experiencing in addition to already existing outlay problems. The Secretary of Defense is conferring now with the Office of Management and Budget to determine how additional funds can be provided for defense next year and in the out years. I do not believe the administration will request

the additional $20 billion or so which the Joint Chiefs indicated will be required annually over the next 5 years to address personnel, readiness, and modernization deficiencies.

The Congress will have to come to grips with these funding realities or consider significantly scaling back our worldwide commitments. We cannot continue to have it both ways. It is unfair to our men and women in uniform and cannot be sustained over time.

Mr. President, our hearings have substantiated the readiness and funding problem facing our armed forces. The solution to these problems will require the close cooperation between the Congress and the administration. It will require the Congress to relook the balanced budget agreement and will require challenging decisions by all parties. We have no choice but to make careful and deliberate decisions. The future of our Nation and the lives of our soldiers, sailors, airmen, and marines depend on it.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, October 8, 1998.

Hon. WILLIAM S. COHEN,
Secretary of Defense,
Washington, DC.

DEAR MR. SECRETARY: In light of your recent testimony and the testimony of the Joint Chiefs of Staff before the Committee, it is obvious that maintaining the delicate balance among the key components of personnel and quality of life, readiness and modernization in the FY2000–2005 Future Years Defense Plan will be difficult. The current discussions of ''catch-up'' pay raises, returning to a richer military retirement system, funding modernization programs, providing adequate training funds and controlling high personnel and operational tempos make your task of setting priorities a significant challenge.

As you develop the defense budget request for fiscal year 2000, it is imperative that the Department thoroughly analyze any proposals to address the pay gap or return to the pre-August 1986 military retirement system. We are totally committed, as we are sure you are, to taking care of our military personnel and their families. However, before enacting any proposals in this area with significant long-term costs, the Department of Defense and the Congress must have a clear view of the likely impact of the proposals on recruiting, retention, and military readiness.

During our hearing on October 6, 1998, you testified that you would address the issues of military pay and retirement in your fiscal year 2000 budget. As you and the Chiefs testified, there are a number of programs that combine to make up Quality of Life for our military personnel and their families, including pay, retirement, housing, health care, personnel tempo and morale and recreation programs and facilities. We believe that recommendations included in your budget request for the areas indicated above must be fully supported by careful analyses justifying the costs and providing assurance of measurable increases in recruiting, retention and military readiness.

We look forward to reviewing your recommendations in the FY 2000 budget request.

Sincerely,

CARL LEVIN,
Ranking Member.
STROM THURMOND,
Chairman.

NEWMAN POSTAL SITUATION

Mr. COVERDELL. Mr. President, it is with great concern that I rise to address a recurring problem in my state with the United States Postal Service. It seems that we are continually faced with situations where the Postal Service has created controversy by indicating—in some cases—that they will move existing post offices from downtown areas. In Georgia, as in many states, these post offices have been main street fixtures for residents, creating a meeting place for shoppers, business people and officials. The idea of moving these post offices is particularly worrisome for rural areas where local merchants have long relied upon this common bond. It is a problem that Congress should examine in order to work with the Postal Service to promote a better understanding and working relationship with the affected communities.

We currently have a particular case in Newnan, Georgia which illustrates the problem. After receiving word from the community that the post office was moving out of the downtown area, we began contact with the Postal Service to determine whether or not these rumors were true. We gained assurances from the Postal Service that they did not intend to move from the downtown area because there was ''overwhelming community support'' for keeping it there. Since that time, we have received another report from the Postal Service that, because of security requirements, they indeed may have to move to an alternate location. I am concerned by the lack of clarity in the reports my office has received on this matter and am working to get a clarification from the Postal Service. I would like to reiterate for the record my commitment to maintaining a full service postal facility in downtown Newnan. I would welcome the opportunity to work with local officials and businesses in Newnan and the Postal Service to meet this goal.

As I mentioned, Mr. President, this matter in Newnan is a reflection of the work we have ahead to avoid these controversies between smaller communities and the post office. It is a problem I hope we rectify favorably for the citizens of Newnan in this case, and for people all over America in the future.

RECESS

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Montana, seeing no other Senators desiring to speak, asks unanimous consent that the Senate stand in recess until 1:30 p.m. this afternoon.

There being no objection, at 10:24 a.m., the Senate recessed until 1:29 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BURNS).

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999—CONFERENCE REPORT

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be 3 hours equally divided for debate today on the conference report to accompany H.R. 4328, the omnibus appropriations bill for 1999, notwithstanding the receipt of the papers, and that when the Senate receives the conference report, it be considered as having been read with no action other than debate occurring and the vote to occur at 9 a.m. on Wednesday, without any intervening action, debate or motion, and that paragraph 4 of rule XII and all points of order be waived.

The PRESIDING OFFICER. Is there objection?

Hearing none, without objection, it is so ordered.

Mr. STEVENS. Mr. President, I further ask unanimous consent that 15 minutes of the time under my control as manager of the bill on our side be under the control of Senator GREGG, and that following the vote Senator SPECTER be recognized for up to 15 minutes for general debate, to be followed by Senator ASHCROFT for 30 minutes of general debate.

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

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STEVENS. Mr. President, it is with some regret that it is my job to bring before the Senate the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999. Throughout the year, I have urged that we find a way to move on the individual appropriations bills so that we would avoid a repetition of what took place 2 years ago. Unfortunately, that request was not followed, despite the urging of the distinguished majority leader and minority leader to work with the Appropriations Committee.

We were unable to finish the bills within the normal timeframe this year.

We had an extremely difficult calendar because of the fact that Labor Day—the first Monday was the 7th of September. We then had the Jewish holidays which we were in recess for. We were just unable to finish in time. We had to get first one and then another and then another and now another continuing resolution in order to try and finish our work. I deeply regret the process that we are going through now.

It is my task to present to the Senate, I think, the largest appropriations bill in a decade. Mr. President, it contains a grand total of $486.8 billion in

appropriations. The regular appropriations bills are a total of $203 billion; the balance are in the supplemental and emergency appropriations.

It has been a very difficult process to go through. We have had a series of meetings with representatives of the President and with our leaders. I thank the distinguished chairman of the House committee, Congressman LIVINGSTON, and his colleague, the ranking member there, Congressman OBEY, as well as my colleague and great friend here in the Senate, the Senator from West Virginia, Senator BYRD.

We have worked many long hours now. And I really think our staffs deserve a great deal of credit, because we worked a lot of long hours, but they worked through the night after we had worked long hours and were there again the next morning when we started our negotiations once again.

These negotiations have gone on now almost 3 weeks, and the product is the bill that was filed in the House last night. That bill, Mr. President, contains 11 divisions.

Division A contains 8 of the 13 annual appropriations bills for the fiscal year 1999; for the Departments of Agriculture, Commerce-Justice-State, the District of Columbia, Foreign Operations, Interior, Labor, Health and Human Services-Education, Transportation, and Treasury-General Government.

This division also contains the emergency agricultural assistance package and supplemental appropriations under Energy and Water Development and VA–HUD. It also contains the spending offsets that were presented to us by the administration.

I might state that those were checked out by our Budget Committees and by the Congressional Budget Office. We believe that we are under the caps as were set by the budget agreement with the President.

The division B contains emergency appropriations for military readiness and overseas contingency operations, storm damage to defense facilities, antiterrorism, the year 2000 conversions—the so-called Y2K problem—and counterdrug activities.

Divisions C through K are various authorizing measures that were added to the bill. I hasten to point out that while many of them come from authorization committees, it is the Appropriations Committees that must put our names on these bills as they are presented to the House and Senate. We have done our very best to check through these bills. And I might state that our staffs have read them through not just once but twice to make certain that each one of them is as it was represented to us as these measures were brought to us.

Division C is in fact a potpourri of measures, including the FAA reauthorization extension, post office namings, the Olympic and Amateur Sports Act amendments, Internet legislation, the American Fisheries Act, Persian Gulf veterans health, and others.

Division D is the Drug Demand Reduction Act.

Division E covers methamphetamine trafficking. It is another drug bill.

Division F covers the marijuana for medical purposes.

Division G is the State Department reauthorization bill.

Division H is the new provisions concerning Sallie Mae.

Division I covers the chemical weapons convention.

Division J covers tax extenders and home health care provisions.

Division K contains pay-as-you-go provisions to maintain the separation of mandatory and discretionary spending as outlined in last year's balanced budget agreement.

Let me just take a few minutes of the Senate, Mr. President, to provide some highlights of the bill under the Appropriations Committee's jurisdiction; that is divisions A and B.

The total discretionary spending in division A is $206 billion. This includes $2.8 billion in offsets.

The agriculture portion of the conference includes the conference report on the agricultural appropriations bill that was vetoed by the President with some modifications. It contains an additional $1.64 billion in emergency crop and market loss assistance for farmers and ranchers. This brings the total agricultural emergency assistance funding for this year to $5.9 billion.

There are also increases for food safety and rural empowerment zones and enterprise communities. The Commerce-State-Justice portion of this bill contains funding through June 15. It supports crime fighting and antidrug activities, counterterrorism, and border patrols.

The Census Bureau will receive the funding it needs to continue to prepare for the decennial census. The National Oceanic and Atmospheric Administration, National Weather Service, and Science programs are, in my judgment, adequately funded. The State Department would receive funds for international programs and U.N. arrearages subject to authorization.

The District of Columbia provisions would largely ratify the District's own consensus budget and continue ongoing management reforms.

The Foreign Operations portion contains funding for export promotion and economic aid, as well as the funding for the International Monetary Fund, IMF, with conditions for reform. I might say, I am personally very gratified that this is finally being sent to the President for approval.

The Department of the Interior would receive increases for park operations and much-needed maintenance, funding for the Everglades restoration effort, and other public land needs. Full funding for many cultural and historical preservation programs are also included in that portion of the bill.

The Labor, Health and Human Services, and Education bill provides funds for worker assistance, increases funding for medical research at the National Institutes of Health by $2 billion, and fully funds the Low Income Home Energy Assistance Program, LIHEAP. Increases were provided for child care block grants, special education, and to reduce class size.

The Transportation portion of the bill contains the highest limitation in history on obligations in the highway trust fund—$4 billion above last year's level. Adequate funds for the Coast Guard and the Federal Aviation Administration and our mass transportation programs are included.

The Treasury-General Government portion contains funding to increase drug control programs and improve IRS customer relations.

Two bills already passed by the Congress and signed by the President were, in fact, reopened by the final negotiations and additional materials are available for those bills.

Division A contains additional appropriations under Energy and Water Development, including funds for the Tennessee Valley Authority, and authorization to refinance its debts, and funds for the Department of Energy's energy supply programs.

The VA-HUD bill is also augmented by additional spending for urban empowerment zones, the Boston Harbor cleanup, climate change, and the Corporation for National and Community Service.

As I said, division B contains the emergency supplemental spending in the omnibus bill, with the exception of agriculture assistance, which is in division A.

The total discretionary spending in division B is $14.9 billion. It includes $6.8 billion to improve military readiness and to fund ongoing overseas contingency operations such as Bosnia.

Mr. President, $2.4 billion is included to protect our embassies around the world and to fund our continuing fight against terrorism worldwide. And $3.4 billion is provided to address the Y2K problem—the year 2000 problem—throughout the Federal Government as a whole. This is provided in emergency appropriations subject to the President's approval.

Mr. President, $700 million is included for a package of counterdrug activities. Another $1.5 billion is provided to address the damage caused by Hurricane Georges and Hurricane Bonnie.

Mr. President, as I indicated, this is a very complicated bill.

Mr. President, I want to take a moment to talk about two of the provisions that are in the bill that are legislative items. They were bills that I presented to the Senate. One is the American Fisheries Act. It is a culmination of the negotiations that were undertaken with my colleagues from the State of Washington after I had introduced Senate bill 1221.

We reached the agreement to include this American Fisheries Act in the legislation that is being considered. It is title II of division C of the bill. This

act will not only complete the process begun in 1976 to give the U.S. interests a priority in the harvest of U.S. fishery resources, but will also significantly decapitalized the Bering Sea pollock fishery.

The 1976 act was, in fact, the Magnuson Act, that extended our jurisdiction to the 200-mile limit. The Bering Sea pollock fishery is the largest, and its present state of overcapacity is the result of mistakes in, and misinterpretations of, the 1987 Commercial Fishing Industry Vessel Anti-Reflagging Act, which is generally known as the Anti-Reflagging Act.

In 1986, as the last of the foreign-flag fishing vessels in the U.S. fleet were being replaced by U.S.-flag vessels, we discovered that Federal law did not prevent U.S.-flag vessels from being entirely owned by foreign interests. We also discovered that Federal law did not require U.S. fishing vessels to carry U.S. crew members, and that U.S. fishing vessels could essentially be built in foreign shipyards under the existing regulatory definition of the word ''rebuild.''

The goals of the 1987 Anti-Reflagging Act were to, one, require the U.S. control of fishing vessels that fly the U.S. flag; two, stop the foreign construction of the U.S.-flag vessels under the ''rebuild'' loophole; and, three, to require the U.S.-flag fishing vessels to carry U.S. crews. Of these three goals, only the U.S. crew requirement was achieved by the 1987 act.

The Anti-Reflagging Act did not stop foreign interests from owning and controlling U.S.-flag fishing vessels. About 30,000 of the 33,000 existing U.S.-flag fishing vessels are not subject to any U.S. controlling interest requirement.

The Anti-Reflagging Act also failed to stop the massive foreign rebuilding programs between 1987 and 1990 that brought almost 20 of the largest fishing vessels ever built in the world into our fisheries as ''rebuilt'' vessels.

Today, half of the Nation's largest fishery—which is the Bering Sea pollock—continues to be harvested by foreign interests on foreign-built vessels that are not subject to any U.S.-controlling interest standard.

On September 25, 1997, I introduced the American Fisheries Act, S. 1221, to try to fix these mistakes. Senators from almost every fishing region of the country joined me in supporting that effort, including Senators BREAUX, HOLLINGS, GREGG, WYDEN and MURKOWSKI.

As introduced, the bill had three primary objectives: requiring the owners of all U.S.-flag fishing vessels to comply with a 75-percent U.S.-controlling interest standard, similar to the standard for other commercial U.S.-flag vessels that operate in U.S. waters; two, to remove from U.S. fisheries at least one-half of the foreign-built factory trawlers that entered the fisheries through the Anti-Reflagging Act foreign rebuild grandfather loophole and that continued to be foreign-owned as of September 25, 1997; and, third, to prohibit the entry of any new fishing vessels above 165 feet, 750 tons, or with engines producing greater than 3,000 horsepower in the North Pacific fisheries fleet.

I am pleased to report that the package we are submitting to the Senate today accomplishes all three of these main objectives of S. 1221 as introduced. I thank Senator GORTON and his colleague from Washington, Senator MURRAY, for their efforts, particularly Senator GORTON for his tremendous effort in finally reaching an agreement on this bill. For almost a decade now, he and I have had various disagreements on the Bering Sea pollock fishery and issues related to the Anti-Flagging Act.

At the Commerce Committee hearing in March of this year, and later at an Appropriations Committee markup in July, Senator GORTON plainly expressed his concerns with my bill, S. 1221. In August, he spent considerable time with representatives from the Bering Sea pollock fishery and by sheer will managed to develop a framework upon which we could agree. After he presented the framework to me, we convened meetings of fishery representatives in September that literally went around the clock for 5 days. Those meetings included Bering Sea pollock fishery industry representatives, industry representatives from other North Pacific fisheries, the State of Alaska, North Pacific council members, National Marine Fisheries, the Coast Guard, the Maritime Administration, environmental representatives and staff for various Members of Congress and the Senate and House committees that have jurisdiction over this.

At the end of those meetings, a consensus had been achieved among Bering Sea fishing representatives on an agreement to reduce capacity in the Bering Sea pollock fishery. For the next 3 weeks, we drafted legislation. We have spent considerable time with the fishing industry from other fisheries that were concerned about the possible impacts of the changes in the Bering Sea pollock fishery upon their areas in offshore fisheries.

The legislation we are passing today includes many safeguards for those other fisheries and for the participants in those fisheries. By delaying implementation of some of the measures until January 1, 2000, it also provides the North Pacific Council and the Secretary of Commerce with sufficient time to develop safeguards for those other fisheries.

This legislation is unprecedented in the 23 years since the enactment of what is now known as the Magnuson-Stevens Act. With the council system, congressional action of this type is not needed in Federal fisheries anymore. However, the mistakes in the Anti-Reflagging Act and the way it was interpreted created unique problems in the Bering Sea pollock fishery that only Congress can fix. The North Pacific Council does not have the authority to turn back the clock by removing fishery endorsements, to provide the funds required under the Federal Credit Reform Act to allow for the $75 million loan to remove the overcapacity in the area, and to strengthen the U.S.-control requirements for fishing vessels, to restrict Federal loans on large fishing vessels, and to do many other things we have agreed to do in this legislation.

While S. 1221 as introduced was more modest in scope, I believe the measures in this agreement are fully justified as a one-time corrective measure for the negative effects of the Anti-Reflagging Act that I have mentioned before.

There is also in this bill the Olympic and Amateur Sports Act Amendments of 1998. This legislation includes that bill, a bill that Senator CAMPBELL joined me in cosponsoring to update the Federal charter for the U.S. Olympic Committee and the framework for Olympic and amateur sports in the United States. This framework is known as the Amateur Sports Act because most of its provisions were added by the Amateur Sports Act of 1978.

The act gives the U.S. Olympic Committee certain trademark protections to raise money—and does not provide reappropriations—therefore, it does not come up for routine reauthorization.

The Amateur Sports Act has not been amended since its comprehensive revision in 1978 which provided the foundation for the modern Olympic movement in the United States. The bill we are considering does not fundamentally change that act. Our review showed us it is fundamentally sound.

We believe the modest changes that we ask the Senate and the Congress to make will ensure that the act serves the United States well into the 21st century. The significant changes which have occurred in the world of Olympic and amateur sports since 1978 warrant what I call fine-tuning of this act.

Some of the developments of the past 20 years include, first, that the schedule for the Olympics and Winter Olympics has been alternated so games are held every 2 years instead of every 4—significantly increasing the workload of the U.S. Olympic Committee; second, that sports have begun to allow professional athletes to compete in some Olympic events; third, that even sports still considered ''amateur'' have athletes who with greater financial opportunities and professional responsibilities now compete more than we ever considered in 1978; four, that the Paralympics—the Olympics for disabled amateur athletes—have grown significantly in size and prestige.

These and other changes led me to call for a comprehensive review of the Amateur Sports Act in 1994.

The Commerce Committee has held three hearings since then.

At the first and second—on August 11, 1994 and October 18, 1995—witnesses identified where the Amateur Sports Act was showing signs of strain.

We postponed our work until after the 1996 Summer Olympics in Atlanta, but on April 21, 1997, held a third hearing at the Olympic Training Center in Colorado Springs to discuss solutions to the problems which had been identified.

By January 1998, we'd refined the proposals into possible amendments to the Amateur Sports Act, which we discussed at length at an informal working session on January 26, 1998, in the Commerce Committee hearing room.

The bill that Senator CAMPBELL and I introduced in May reflected the comments received in January, and excluded proposals for which consensus appeared unachievable.

With the help of the U.S. Olympic Committee, the Athletes Advisory Council, the National Governing Bodies' Council, numerous disabled sports organizations, and many others, we continued to fine tune the bill until it was approved by the Commerce Committee in July.

I will include a longer summary of the bill for the RECORD, but will briefly explain its primary components:: (1) The bill would change the title of the underlying law to the ''Olympic and Amateur Sports Act'' to reflect that more than strictly amateurs are involved now, but without lessening the amateur and grass roots focus reflected in the title of the 1978 Act; (2) the bill would add a number of measures to strengthen the provisions which protect athletes' rights to compete; (3) it would add measures to improve the ability of the USOC to resolve disputes—particularly close the Olympics, Paralympics, or Pan-American Games—and reduce the legal costs and administrative burdens of the USOC; (4) it would add measures to fully incorporate the Paralympics into the Amateur Sports Act, and update the existing provisions affecting disabled athletes; (5) it would improve the notification requirements when an NGB has been put on probation or is being challenged; (6) it would increase the reporting requirements of the USOC and NGB with respect to sports opportunities for women, minorities, and disabled individuals; and (7) it would require the USOC to report back to Congress in 5 years with any additional changes that maybe needed to the act.

Mr. President, I am the only Senator from President Ford's Commission on Amateur Sports who is still serving.

It has therefore been very helpful to have Senator CAMPBELL—an Olympian himself in 1964—involved in this process. He is a good friend.

Over my objection, he attempted to have this package named after me—an honor that I have declined.

There are many others who deserve recognition for their work to bring about the 1978 Act, and that continues to be the case. Specifically, I refer to my friend from Colorado, who has done a tremendous amount of work on this.

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

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

THE OLYMPIC AND AMATEUR SPORTS ACT AMENDMENTS OF 1998

(1) Incorporates Paralympics into Amateur Sports Act; clearly reflects equal status between able-bodied and disabled athletes; continues original focus of Act to integrate disabled sports with able-bodied National Governing Bodies (NGB's), but allows USOC to recognize paralympic sports organizations if integration does not serve best interest or if NGB objects to integration; officially recognizes U.S. Olympic Committee (USOC) as the national Paralympic committee.

(2) Allows USOC to remove certain lawsuits against it to federal court.

(3) Statutorily requires the creation of an Athletes' Advisory Council and National Governing Bodies' Council to advise the USOC.

(4) Adds requirement that USOC Board be 20 percent active athletes (USOC already does this, but original Act only required 20 percent on NGB Boards).

(5) Gives USOC trademark protection for the Pan-American Games, Paralympics, and symbols associated with each.

(6) Requires USOC to keep agent for service of process only in CO, rather than all 50 States.

(7) Requires USOC to report to Congress only once every four years, instead of annually.

(8) Requires the USOC report to Congress to include data on the participation of women, disabled individuals, and minorities.

(9) Protects the USOC against court injunction in selecting athletes to serve on the Olympic, Paralympic, or Pan-American teams within 21 days of those games if the USOC's constitution and bylaws cannot provide a resolution before the games are to begin.

(10) Requires USOC to hire an ombudsman for athletes nominated by the Athletes' Advisory Council to provide advice to athletes about the Act, relevant constitution and bylaws of the USOC and NGBs, rules of international sports federations and IOC/IPC, and to assist in mediating certain disputes involving the opportunity to an amateur athlete to compete.

(11) Allows USOC/NGBs not to send to the Olympics, Pan-American Games, or Paralympics athletes who have not met the eligibility criteria of the USOC and appropriate NGB, even if not sending those athletes will result in an incomplete team.

(12) Requires improved notification and hearing requirements by USOC when an NGB is being challenged to be replaced or put on probation.

(13) Clarifies that NGBs must agree to submit to binding arbitration at request of athletes under the Commercial Rules of the American Arbitration Association (as in existing USOC constitution and bylaws), but gives USOC authority to alter the rules with the concurrence of the Athletes' Advisory Council and National Governing Bodies Council, or by a ⅔'s vote of the USOC Board of Directors.

(14) Allows NGBs to establish criteria on a sport-by-sport basis for the ''active athletes'' that must comprise at least 20 percent of their boards of directors and such other governing boards; the USOC, AAC, and NGB Council would set guidelines, but an NGB would have authority to seek exceptions to the guidelines from the USOC.

(15) Requires NGBs to disseminate and distribute to athletes, coaches, trainers, etc., all applicable rules and any changes of the NGB, USOC, international sports federation, IOC, International Paralympic Committee and Pan-American Sports Organization.

(16) Requires special report to Congress at end of five years on implementation of the provisions and any additional changes USOC thinks needed to Act.

Mr. STEVENS. Mr. President, let me mention one final section in the bill. We have had a lot of contention in conferences over the small fishing village of King Cove, which lies at the tip of the Alaskan peninsula, 625 miles southwest of Anchorage. It is exposed to the Pacific Ocean and the Bering Sea, and this community is often ravaged by 80-mile-per-hour winds, or more, and by driving sea winds. This extreme weather often shuts down access into or out of King Cove for days at a time.

In an effort to improve King Cove's access to emergency medical facilities, I added language to the Interior appropriations bill that would grant a right-of-way from King Cove to the giant airport at Cold Bay. Mr. President, that road would have gone through a portion of the old army military base that is now known as Izembek Wildlife Refuge. This 30-mile road would have provided the cheapest and most reliable means of access to my constituents who live at King Cove.

However, the administration raised environmental considerations regarding the wildlife refuge and refused to accept the provision that would authorize the road.

After much discussion on a series of options being offered to us by the administration, we have crafted a compromise that provides for the health and safety of the Alaskan Native people of King Cove and still protects the refuge, as it was indicated that the administration believed that was its highest priority.

This provision now provides King Cove Natives with the money to build a road from King Cove to a small lagoon some 20 miles away. There they will build a dock and use a small vessel to cross over the lagoon to property that they own adjacent to the runway at Cold Bay. The provision also provides funding to improve the airstrip at King Cove and for improvements to the health clinic at King Cove; namely, to put in state-of-the-art medical facilities and telemedicine capability there to protect our people until these transportation facilities are constructed.

Mr. President, I will have other comments to make about this bill later. I have taken too long already.

Mr. BYRD. Mr. President, we are about to take up the conference report on the so-called omnibus appropriation measure, which contains funding for Fiscal Year 1999 for the departments and agencies under the jurisdiction of eight Appropriations Subcommittees: Agriculture, Commerce/Justice/State/The Judiciary, the District of Columbia, Foreign Operations, Interior, Labor/Health and Human Services and Education, Transportation, and Treasury and General Government. In addition, this omnibus package contains

some $20 billion, which has been designated as an emergency, in a supplemental package for such things as: agriculture disaster assistance—$6 billion; defense, including military readiness, $6.8 billion; hardening of embassies and other security matters—$2 billion; Y2K—$3.25 billion, of which $1.1 billion is for the Department of Defense; war on drugs—$690 million; and various disaster assistance programs, such as FEMA, Community Development Block Grants, and other programs which aid those who have suffered from natural disasters in the past months, such as Hurricane Georges—$1.4 billion. Also included are a substantial number of legislative riders that have been recommended by various members of the House and Senate and have been approved by not only the Appropriations Committees but also the joint leadership and the administration. As if that were not enough, this conference report also includes a $9.2 billion tax package.

This omnibus conference report is massive. It numbers thousands of pages. I haven't seen it yet, but that is what I am told. It provides funding totaling nearly $500 billion, or close to one-third of the entire Federal budget. If you don't think that is a lot of money—$500 billion—that is $500 for every minute since Jesus Christ was born. Let me say that again. That $500 billion is $500 for every 60 seconds since Jesus Christ was born. It is virtually beyond comprehension when we talk about funding of that size. Webster's Dictionary does not contain words enough to allow me to appropriately express my disappointment and my regret that we have reached the point we have, to present this colossal monstrosity to the United States Senate.

All too often in recent years, we have faced similar situations where Congress has failed to enact its 13 separate annual appropriation bills in a timely manner and, in many cases, we have failed to enact them at all, except in an omnibus package. Just 2 years ago, under the chairmanship in the Senate of the distinguished Senator from Oregon, Mr. Hatfield, the Senate was placed in a similar position. It wasn't Mr. Hatfield's fault, but the Senate was placed in a similar position of having to vote on an omnibus appropriation bill that contained six of the annual appropriation bills in one conference report.

Then, as today, Members were asked to vote on those appropriation bills in their entirety, plus hundreds of other provisions, sight unseen, a pig in a poke, without satisfactory opportunities to understand those provisions and virtually without opportunity to amend the omnibus bill.

In 1996, I joined Chairman Hatfield and our present chairman, Senator STEVENS, in expressing my regret that the Senate was put into that difficult position. Senator STEVENS indicated that he hoped the Senate would never have to appropriate by way of an omnibus bill again. Last year, Chairman STEVENS and his counterpart, the distinguished chairman of the House Appropriations Committee, Representative LIVINGSTON, with the support of the ranking members on each of the subcommittees, were able to complete action on all 13 appropriation bills without the need for omnibus legislation. That was last year, and that is the way the process ought to work every year.

It is very, very costly to the U.S. taxpayers to have to govern through a series of continuing resolutions. Departments and agencies have to curtail their operations and alter their plans in many cases because they are not certain as to what their appropriation will be for the full fiscal year. We have now had five continuing resolutions in relation to the fiscal year 1999 appropriation bills. Five continuing resolutions!

As Members are aware, we have only enacted into law three fiscal year 1999 regular appropriation bills—defense, military construction and energy and water. Furthermore, the Senate never took up the District of Columbia, or the Labor-HHS appropriation bills, and although it was taken up on the Senate floor, action was never completed on the Interior appropriation bill. Yet, here we are today faced with having to vote not only on those three appropriations bills, but also on five more in this conference report, plus many authorization measures and a tax bill.

The process that has brought us to this point is deplorable. It is manifestly preposterous in that no Member of the House or Senate could possibly know, much less understand, all of the provisions that are contained in this conference report. It is absolutely inexcusable. It ranks, as far as the legislative lexicon is concerned, with the unpardonable sin in the spiritual realm—the unpardonable sin. It is absolutely unpardonable for Members of the Senate and the House to put themselves into this kind of situation. It should be difficult for every one of us to face the voters of this country. If the voters really understood what we are doing here, they would probably feel like voting us all out of office. Thank God, only one-third of the Senators have to go before the voters each 2 years. By failing to enact our regular appropriation bills on time, we have brought this situation upon ourselves. There is nobody here but us; there is nobody to blame but us. We are to blame for this. We brought this situation on ourselves.

Senators are being asked to vote on this massive piece of legislation that provides funding of nearly one-half trillion dollars—approximately one-third of the entire Federal budget—without an adequate opportunity to consider it or amend it. Senators cannot amend this conference report—in spite of the Constitution, which says, with reference to revenue-raising bills, that they shall originate in the House of Representatives, but that the Senate may propose amendments to revenue-raising bills, as on all other measures, as on all other legislation. The Constitution didn't foresee this kind of a monstrosity—eight appropriations bills wrapped into one conference report, one tax bill, and a supplemental appropriation bill—right? Right. Eight. What a monstrosity, what a gargantuan monstrosity!

Do I know what is in the measure? Are we kidding? No. I don't know what is in this measure. I know a few things that are in it, but only God knows everything that is in this monstrosity. Only God knows what is in this conference report. And very few people, relatively speaking, are on speaking terms with Him.

Nobody in this Government—not one person in this Government—understands every jot and tittle that are in this measure; not one.

We have no opportunity to amend it. In other words, the representatives of the people are being denied by the rules the opportunity to offer an amendment on behalf of one's constituencies. No Senator can offer any amendments to this conference report. And, yet, we have seen in the last several days daily press conferences where both sides—both sides, out in the Rose Garden they appeared, and out here somewhere near the Capitol—both sides were patting themselves on the backs, patting each other on the backs, and congratulating themselves and each other. For what? For finally putting together a massive gargantuan monstrosity referred to as ''the conference report'' containing the bills that we should have passed long months ago.

We put off acting on these bills for months, and then, finally, when we get beyond the beginning of the new fiscal year, we finally bring in a massive piece of legislation. We don't know what is in it. Nobody in here knows everything that is in it. Certain Members know certain things about it. And then we pat ourselves on the back. What a great victory—it was proclaimed down in the Rose Garden—what a victory for the American people! What a shame. Webster wouldn't define that as a victory.

I was invited to go down to the White House. I didn't go. I didn't consider that a victory. I am not going to be a prop, a backup prop, for that kind of victory. Why is it a victory? Several months late we all gather in the Rose Garden and pat ourselves on the back for having finally gotten around to doing the work that we should have done months ago? Is that a victory?

Mr. President, although I strenuously object to the process, I will vote for this monstrous measure in the form of a conference report for the same reason that many other Senators will vote for it—and that is to keep the Government running.

All that I have said is not to say that this huge legislation does not have some good things in it. There are some

good things in it that we know about—good things for the Nation—and we do have to pass appropriations bills to keep the Government running. If Congress does nothing else in an entire year, it must pass appropriations measures to keep the Government running. But it is not a vote which I relish casting.

I would be less than honest if I did not state here and now that I do not know—as I have stated already—a great deal about what is in this legislation. In that, I am not alone. This conference report is a creation, without a mother or a father—rather more like a Frankenstein creature, a being of some sort that has been patched together from old legislative body parts that do not quite fit. And just as Dr. Frankenstein was quite surprised by the results of his creation, so may we be startled by the result of ours.

So we all gather down in the Rose Garden to proclaim what a victory this Frankenstein monster is for the American people! Hail, hail the victory for the American people.

Hastily drafted legislation, as Senators in this body well know, often has strange and unintended consequences. I don't fault the chairman of the Appropriations Committee. Senator STEVENS and the Appropriations Committee worked hard and reported the appropriations bills. We could long ago have acted upon these bills in the Senate and sent them down to the White House. We could have long ago done it. The Appropriations Committee didn't hold up the bills. I fault the entire Congress for repeatedly failing to do its work, and for bringing us to the brink all too often.

Thirteen appropriations bills, Mr. President, and several supplemental bills comprise the sum total of what this Congress actually has to accomplish each year. Those 13 bills, and any supplementals which may be needed, make up our basic work requirement each year before we can go home. Yet, how often we have to cobble together continuing resolutions or horrific omnibus bills like this one because we will not do our work in a timely way. Out there in the real world when you don't do your work you are fired. On the real job site, colleagues, we would be gone! We would have been gone, out there on the real job site! That is us, the delayers.

What results when we get to the end of a session and go through these agonies is Government at its worst. Someone said that making legislation was like making sausage. Don't kid yourselves. I have made sausage. It is nothing like making this piece of goods. I have made sausage. I can tell you that what we did this year in gobbling together this appropriations conference report is significantly more sloppy, more messy than making sausage.

Congress did not even pass a budget resolution this year. How about that. The Senate passed a budget resolution. The House passed one. But they never got together in conference, so Congress never passed a budget resolution this year.

I believe that this is probably the first time since 1974, when we enacted the Congressional Budget Act, that we have gone ahead and written appropriations bills without the discipline of a budget resolution.

It is rather like writing checks when you have no idea how much money is in your bank account. No sane, responsible citizen would do that. But that is what we have done with the Federal budget in this unfortunate year. We have prostituted the legislative process. We have prostituted the appropriations process. Aha, what a victory!

But the worst part about this year-end charade we so often play with appropriations bills, and especially this year's belly dance with the White House, is the way that we have flaunted the Constitution—flaunted the Constitution!

Mr. President, I do not like to be tedious about these things, but the Constitution is not a rough draft.

Article I, Section 1, of the U.S. Constitution says:

> All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Earlier this year, I filed an amicus brief before the Supreme Court of the United States along with Senators MOYNIHAN and LEVIN with the aim of bringing down a gross aberration of the framers' intent called the line-item veto.

One of the major agreements made in support of our case against the line-item veto was that the President is not empowered to legislate, and the Supreme Court upheld that. The President is supposed to faithfully execute the law, not write it. And so we argued that when the President can completely alter an appropriations bill by lining out portions of it, by repealing it, by canceling it, canceling portions of it, thus creating an entirely different bill—one that has never passed either House of Congress—he, the President, has become not just a legislator but a superlegislator. The Court agreed. God save the Supreme Court of the United States! The Court agreed. They wisely struck down this unwise and dangerous statute.

But now look, just look now at what we have done. Look at what we have done now to the framers' handiwork at the close of the 105th Congress. We invited—we, the Congress invited—the executive branch to legislate. We said, ''We can't do it. You come on in.'' We invited them to legislate. Shame, shame on us! We eagerly offered the executive branch a seat at the legislative table. They are, in fact, in every way co-architects of this giant piece of legislation.

We have allowed—not only allowed, we have invited—this White House to participate in this process, just as if, under the Constitution, the executive branch were legislators. So we have invited the executive branch to be co-authors of this giant, hybrid measure in the form of a conference report. It contains both legislation and appropriations bills about which most Members of Congress, especially on this side of the aisle, know very little.

Why do I say ''especially on this side of the aisle'' we know very little about it? I will tell you why. We had two or three levels of conferences going on, all at the same time. The appropriators, Senator STEVENS, Representative LIVINGSTON, the chairmen of the two appropriations committees, respectively, and Mr. OBEY of the other body and I, as ranking members of the two appropriations committees, met. We met all day Saturday; we met all day on the Sabbath; we met all day Monday, Columbus Day, and we hammered out item after item after item. On the other side of the table were the executive branch people. Can you imagine that. We invited them by our having delayed action on the appropriations bills.

Then on another level there was Speaker GINGRICH and the majority leader of the Senate, Mr. LOTT, both Republicans, a great political party—I have nothing against that; I have nothing against those two men, but there was the majority, the Speaker of the House, and the majority leader of the Senate. Where were the Democratic legislators at that level? There weren't any. No Democrats from the Senate or House were there to represent the minority in those negotiations.

Who represented the minority? The executive branch—the executive branch represented the minority in the Senate and House because the minority in the Senate and House wasn't at the table. We weren't at the table. The minority in the Congress had been blacked out of the picture because our seat at the legislating table was occupied, by whom? By the President's men. I don't think the President attended any of the meetings. But he was represented. He had his representatives from the White House at the table.

On one side of the table were the representatives of the President; on the other side of the table were the Speaker and the majority leader of the Senate representing the majority. We in the minority in the Senate and in the House were not at that table. If Banquo's ghost would have appeared there, I wouldn't have seen him.

I deplore this process. We have run roughshod over the Constitution of the United States of America. Through this process, we have, in effect, circumvented the supreme law of the land because we have circumvented the Constitution, Section 9 of Article I and Section 1 of Article I.

We have blurred and we have blended the very clear lines of the separation of powers set out in our national charter, and instead we have cooked up this unsavory soup which will be force fed to

the American people in order to avoid a completely avoidable, but for partisan games, Government shutdown. This time there is no Supreme Court to save us from ourselves. We are quite randomly doing violence to the Constitution, and justifying it because of political expediency. Not only are we justifying it, we are claiming that it is the ''second coming.'' ''Hallelujah, what a victory for the American people. Come one, come all. Come down to the Rose Garden! Hallelujah, what a great victory for the American people!''

What a shame! Call that a victory!

I extend my thanks to the distinguished chairman of the Senate Appropriations Committee, Mr. STEVENS. He has worked hard. He has done a masterful job in bringing the bills to the floor. He has worked zealously, assiduously, and effectively. I have never seen a finer chairman of the Appropriations Committee. I take my hat off to him. And I do the same with respect to his counterpart in the House, Mr. LIVINGSTON. I commend them both and I thank them both for their hard work in bringing this measure to the floor under very difficult circumstances. And I also commend the ranking member of the House Appropriations Committee, Mr. OBEY. Moreover, I appreciate the tireless efforts of the subcommittee chairmen and the ranking members of the subcommittees. I thank the staffs that have been hard at work, far into the nights. Our staffs on both sides worked far into the nights to cobble together these webs, fragments, and pieces of legislation. Each chairman and ranking member, and their staffs, on a bipartisan basis, have worked many long hours and weekends in order to complete this piece of legislation.

While I do sincerely appreciate all their efforts, I hope that they will join me in my belief that this has to stop. How long, how long are we going to have to deprive our constituents of the opportunity of having their Representatives offer amendments to legislation on the Senate floor? I will never vote for another such monstrosity as long as I am privileged to hold this office. And I hope I never see another such monstrosity. I will never again support such a convolution of the legislative process as the one we have seen this year. And I hope that others will agree that this process is just as silly and as sad and as ridiculous and as disgraceful as I think it is. I hope they will join me in an effort to prevent it in the future.

I again thank the chairman of the committee. I am sure that he does not think any more of this process than I do. Under the Constitution, the legislative branch is to appropriate. The legislative branch has control over the purse, and the legislative branch should never so conduct itself as to essentially invite the executive branch to participate in the writing of appropriations bills.

The President has his right under the Constitution to veto a bill, but I say we ought to appropriate. We ought to pass the bills. We ought to be able to have them called up here, be able to offer amendments on both sides of the aisle—and on another day I will talk about that part of the process that is partly to blame for this situation we are in. But we ought to send the President the bills. Send them on time. If he wants to veto them, fine; he has that right under the Constitution. And the Senate and the House can try to override if they can. If they cannot, then they just cannot. But we ought not, ought not be a party to inviting the executive branch to participate in legislating appropriations bills and then gather on the White House lawn and here at the Capitol to proclaim that it is a victory for the American people.

Shame on us!

Mr. President, I ask unanimous consent that 15 minutes of my time be reserved for Mr. DORGAN.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that Mr. WELLSTONE have 15 minutes of time, later.

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

Mr. STEVENS. I see the Senator from Nebraska here. I will yield him such time as he wishes on the bill.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I wish to thank my friend, the distinguished chairman of the Senate Appropriations Committee, for the time. I also wish to acknowledge, with a great amount of respect, the work that he has done on the Omnibus appropriations bill. He has done this work after being placed in an almost impossible situation, being placed in a situation not of his making. Nonetheless, the quality of his effort and leadership is recognized in this Capitol, as it has been for many years. I, too, wish to recognize that.

With that said, I rise today to oppose the omnibus appropriations bill. In my opinion, this bill is the irresponsible product of a dishonest process. It is wrong for America, and I will vote against it.

For the first time in a generation, this Congress balanced the Federal budget. We had a chance to deliver—deliver real tax relief for the second year in a row. Instead, we began to drift early this year by failing to pass an annual budget resolution—the first year without a budget resolution since the Budget Act became law in 1974. Now we have this unaccountable bill that gives away much of our hard-fought budget success.

It is humanly impossible for any of us in this Congress to know all that is in this bill. Some parts were still changing as recently as yesterday, and the full text of the bill was not available even to most U.S. Senators until almost noon today. It will take months for us to study the more than 3,000 pages of text and learn what is in it. Yet, we are asked to vote on this package, up or down, no amendments, with a couple of hours of debate. Take it or leave it.

Mr. President, that is irresponsible. That is irresponsible. We cannot forget that the American people are watching. We have to take a step back from all of this, from the swirl of negotiations and the deal-making—oh, yes, there has been a lot of deal-making—and remember who pays the bills. Whose money is it? We seem to forget whose money we are dealing with. We talk about a billion here, and a billion there—$100 billion. Now we are up to over $500 billion in this bill. This money comes from the pockets of the American taxpayer. It is their money. It is not the Congress' money. And they are watching. The American taxpayers are watching. They are watching how we spend their hard-earned money.

We don't have very good answers, certainly not in this bill. None of us knows, or could possibly know everything that the money is going for—the taxpayers' money is going for—in this bill, or how many millions of dollars have been tucked away for special projects for individual Members thrown in at the last minute behind the curtain deals. Can anyone possibly believe that this mindless process gives the American people any confidence that Congress knows what is going on, or Congress knows what it is doing, or Congress knows or cares about how we spend the taxpayers' money? The American people look at this process, and they turn away in disgust, as they should.

I want to share with this body, Mr. President, a couple of comments from letters and e-mail I have received from constituents in Nebraska in the last 48 hours.

This one comes from Mr. Lee Hamann of Elkhorn, NE. He writes:

> Absolutely incredible. The 100,000-teacher item is another hoax, just like the 100,000-police-officer scam a few years ago—that the Congress and President Clinton pulled on America. Where do the local governmental bodies get the money to continue to pay these new positions after the Federal money runs out? And who says we need 100,000 new teachers?

Who invented that number?

> One of the biggest problems in funding education is that the majority of the money is not being spent on teachers; it's going to administration. Compliance with Federal mandates [and regulations] and a whole host of other politically correct nonsense that has nothing to do with teaching our children and maintaining good discipline in schools. If Congress wants to do something positive for education, then give us a realistic school voucher system and allow parents to deduct tuition to private schools [church or secular].

This comes from a constituent, a taxpayer.

Another one from Mr. Michael J. Snyder from Edison, NE. He writes:

> I would like to have seen a tax cut for the family. Not everybody in Nebraska farms.

Not everybody is going to get some of the extra money.

There are some of us who would like to see a cut in our income tax so that we would be able to keep more of our own money to use for our own purposes. I think we can find better ways to use it than the Federal Government.

Another one from David Begley from Omaha, NE. He says:

Why do all the appropriations bills get done at the last minute and then the President threatens to shut down the Government and blame the Republicans?

Who is in charge back there?

Good question.

Mr. President, I understand very well that our democracy requires compromise. There is much room for honorable give and take in negotiations—honest, open, honorable negotiations. I am well aware that our negotiators had to face a President who pushed again and again and again for irresponsible new spending programs. I did not expect this bill to be absolutely pure and free from all blemishes. None of us did. But there must be a limit. This bill gave up too much. This bill busts the budget. This bill busts the budget by more than $20 billion.

I don't believe the Founding Fathers of this country ever intended for a few Members and staff to make more than one-half of a trillion dollars worth of arbitrary, closed-door decisions for the rest of us, for America—almost one-third of the Federal budget—and then present them to all other Senators and Representatives, men and women elected by the people of this country, by the taxpayers, and then say take it or leave it, an up-or-down vote. No debate, no amendments. This process, Mr. President, is not worthy of the U.S. Senate.

Instead of cutting taxes, paying down the national debt, or even ''saving Social Security,'' this bill squanders the first budget surplus in almost three decades. Almost one-third of the projected surplus is going to more than $20 billion of new spending not paid for by offsetting it, by cutting any other spending. Instead of reflecting the priorities of the American people, this bill reflects on the priorities of the minority in Congress, such as $1.2 billion in new Federal money to pacify the National Education Association.

Instead of less regulation, this bill gives us more government.

It includes a provision that will hamstring Federal prosecutors by subjecting them to a patchwork of State ethical guidelines. On its merits, this provision never would have survived the U.S. Senate.

It includes $192.5 million for the Global Environmental Facility, even though, Mr. President, the Senate and the House had rejected this level of funding. We had actually rejected it. And this is to advance a treaty, the Global Warming Treaty, that the administration does not have the guts to send to this body to debate. They don't have the guts to do it, because they know it would be defeated. But, yet, through back-door spending—and what we have given up after the House and the Senate said we weren't—but yet this is now put in this bill. We are allowing this administration to get away with it. How did something like this get into this bill?

Of course, this bill also includes much that is good, much that I support and fought for, along with Chairman STEVENS and others. I worked hard, like many of us, to win full funding and reforms for the International Monetary Fund.

I strongly support the agricultural relief provisions and many provisions of this bill. But we should have the guts to stand up and say these and other important programs are priorities. And we should have the courage—we should have the courage—to tell the American public how we are going to pay for it. We shouldn't use budget gimmicks to hide what we have spent.

This bill includes a full range of spending by the Federal Government, and it should have been subject to the full range and full scrutiny of honest, open debate. It should have been subject to debate and amendment—the most powerful, the most powerful and important tools available for the U.S. Senators to carry out their constitutional responsibilities. But, instead, this bill is presented to us without opportunity for amendment or opportunity to really know what is in this bill. Over 3,000 pages make up this bill.

This ''omnibus'' bill also includes several authorization bills—policy bills—that should have risen or fallen on their own merits, not by finding their way into this unamendable tome. Congress should set new government policy when ideas are fully debated. Congress should set new government policies when ideas are amended and considered, and defined and voted for—not when a small group of negotiators decides that idea or this idea has merit. But this ''omnibus'' bill includes entire policy bills included in this one-half-trillion-dollar, over-3,000-page document.

Many of these policy bills have been slipped in from overhauls of immigration policy to regulation of the Internet. Seven separate antidrug authorization bills were slipped into this ''omnibus'' bill. And we can't amend any of it. We can't shape it, change it, influence it, delete it. We can't do our jobs as representatives of the American people.

Mr. President, this is not how the U.S. Senate should operate. The American people deserve better, and until recently they got better.

Throughout the 1980s—let's go back to the 1980s—Congress did business by passing ''omnibus'' bills, or ''continuing resolutions'' very much like this one. These were unaccountable, pork-laden bills that ran thousands of pages like this bill. They made a mockery of accountability of our democratic process. And then in 1988, many of you will remember that President Reagan stood up against what he described as ''. . . monstrous continuing resolutions that pack hundreds of billions of dollars worth of spending into one bill. . . .''

In his very memorable State of the Union Address, he stacked 3,296 pages of budget bills weighing 43 pounds at the podium in the House of Representatives and implored Congress, ''Let's change all this.''

President Reagan called on Congress to pass spending bills the right way—the right way—one at a time, and he pledged to veto any future continuing resolutions. For 8 years, from 1988 through 1996, Congress did its work, as it should, as the American people expected, and passed individual appropriations bills in full and open debate.

Then Congress started slipping into an old pattern. The omnibus bill that year, in 1996, rolled six of the 13 annual appropriations bills into one. This year is worse, one of the worst ever, including eight of the annual appropriations bills, plus authorization bills, in this omnibus appropriations bill.

It is time for us to stand up before this old process takes new root. It is time once more to look at ourselves and declare: Let's change this. I will vote against this bill because I believe it is wrong and the process is wrong. I believe the right thing to do is to kill this bill and for Congress to keep working for the rest of this year, if it takes that, until we do this right.

I believe we should worry less about the elections and polls and government by calculation and more about doing our jobs, the jobs the American people sent us here to do. But more importantly, I believe we will all work hard—I will—to prevent this unaccountable process from ever happening again.

A top priority for this new Congress, the 106th Congress, that will be seated in January of next year must be, must be, to make the necessary changes and reforms to keep the budget process on track. Perhaps we should enact biennial budgeting and appropriations. The distinguished chairman of the Senate Budget Committee, Senator DOMENICI, has talked of this; Senator STEVENS has talked of this. Or we make other changes to ensure that we will put an end to this moonlight madness. This must stop.

Mr. President, this is not Halloween. This isn't trick-or-treat time. This is serious business. I am prepared to work with the Senate's bipartisan leadership, with all my colleagues, to make these changes occur. The American taxpayers expect and deserve better. We owe it to the people who pay the bills.

My colleagues, we can change this nonsense. We must change this nonsense.

I yield the floor, and I thank my friend, the distinguished chairman of the Senate Appropriations Committee.

Mr. STEVENS. Mr. President, how much time remains?

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Alaska has 39 minutes.

Mr. STEVENS. And Senator BYRD?

The PRESIDING OFFICER. Forty-one minutes.

Mr. STEVENS. It is my understanding I had reserved 15 minutes for the Senator from New Hampshire. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Does my time that the Chair just announced include Senator GREGG's 15 minutes?

The PRESIDING OFFICER. Yes, it does.

Mr. STEVENS. It does.

The PRESIDING OFFICER. Yes.

Mr. STEVENS. I thank the Chair.

How much time does the Senator from Montana wish, Mr. President?

Mr. BURNS. I thank the Senator. No more than probably 5 or 6 minutes.

Mr. STEVENS. I yield the Senator such time as he wishes to use.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, one does not have to reiterate the complexity of going through this process of appropriations. I rise on this floor of the Senate with mixed emotions this afternoon as we consider the omnibus appropriations bill for 1999. I, as the speaker before me, know and understand what the chairman of the Appropriations Committee has gone through to bring this process to this point. I shall vote yea on this bill, but anybody who tells me that they have a handle on this bill would be just like their local weather forecaster—they are either a fool or a newcomer.

The framers of our Constitution did not envision the process which was the design of an administration that was irresponsible and reckless in both actions and words with the Congress and the people of this country. Being forced into a situation where the will of Americans is denied in the spending of their hard-earned money, that is not my idea of representative government. The same Americans were even denied debate on issues that would become the law of the land. I think it was THOMAS Jefferson who said that the Constitution should be flexible; it should be subject to change with the times to reflect the will of the people and not to the master politician. I believe the American people have fallen prey to those who have mastered their craft very well.

The process, as all appropriations processes, started as it should have; subcommittees, working with the administration, held hearings with the different Departments of the Federal Government, which is the administration. After being completed at that level, the consideration moved to the full Appropriations Committee. All members of that committee debated and passed on to the full Senate the appropriations bill that was started at the subcommittee level some 6 or 7 months ago.

Where were all the voices that we hear now when the work was being done at the grassroots level? Now we hear them as we come to the close of the 105th Congress. Did we not know then that a well-orchestrated delaying action was taking shape? The answer is a resounding yes. There was not one, not one who as a Member of Congress representing their respective States, was not aware, did not know where we were heading. Attempts by this administration were made to shortcut or shortcircuit the process. So when the 105th Congress closes its work, it will be the responsibility of the 106th Congress to ensure that this will never happen again. The American people deserve no less.

Now, as to the bill itself, to those critics who say there is not good in this bill, I say you are wrong. To those who say there is no tax relief in this bill, I say you are wrong—small as is might seem. And to say that tax relief is not for the proper segment of our Nation's economy, I say you are also wrong. To those who would say we have saved, saved I say, Social Security and the financial foundation of our Nation, I say you are wrong again.

It is disingenuous to ask that money be spent from the Nation's Treasury for domestic social programs under emergency conditions knowing of the surplus of funds that now exists and knowing the appropriations would not be subject to budget caps that were agreed to over a year ago. The only absolute condition—Social Security can be saved and reformed—is when Congress has created and saved, saved those surplus funds to ensure its solvency. Spending some of the surplus weakens our ability to reform and ensure the solvency of any entitlement deemed by this Congress or the administration.

The most important ingredient to make our system work for all Americans is trust and integrity. The framers of the Constitution warned us that there are weaknesses and pitfalls and certain dangers in self-government. In fact, the self-governed, who have the power to vote themselves bread with not one drop of sweat falling from their brows, are not absolved from the responsibility that they have at the ballot box. We, every American, all share this duty.

For this system to survive depends on the degree of national responsibility that is found in their elected Representatives. This 105th Congress has addressed crises that fell on our ability to produce food and fiber for this Nation. We addressed the crisis that has befallen our rural communities as a result.

We have attempted to address education by using money alone. Again, I fear that we will be disappointed with the results. In this body, we make most of our decisions based on history. The key has always been the past. Communities of this Nation should have, and have had, the power and the wisdom to say ''what, why, and how'' they should educate the next generation.

The stakes are high, as the very freedoms we all hold dear and above all else are at issue. The price of freedom is too dear to change the very basic foundation. The Nation has always drawn its power from local communities and their ability to solve not just local problems, but most of the problems of the Nation's interests. To abandon that premise would be dangerous and unwise.

It is unfortunate that we have to pass a measure of this magnitude, of this size, but that is the way it was forced upon this Congress this year. Were bad decisions made early on? Yes. But we can make some good decisions now. We must always keep in mind: We only have a surplus in our Nation's Treasury as a result of a strong economy. You could say the taxpayer really overpaid us. If they did, they are also telling us that we should not keep the change.

I yield the floor.

MODIFYING SECTION 110 OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

Mr. ABRAHAM. Mr. President, I would like to take a moment to comment on a provision included in the omnibus appropriations measure that would modify section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Section 110 would have required the INS to establish, by September 30, 1998, an automated entry and exit control system to document the arrival and departure of every alien entering the United States. This particular language in the Illegal Immigration Reform Act was adopted only in conference and had the unintended and unforeseen consequence of requiring the INS to implement automated entry and exit control at land borders and at seaports, rather than simply at airports.

I learned of this market early this Congress and realized that extremely grave consequences would result to trade, commerce, tourism, and legitimate cross-border traffic if it were implemented anywhere other than at airports. My home State of Michigan would be hard-hit. More United States-Canada trade crosses the Michigan border than in any other State. The American automobile industry in particular would be devastated. That industry alone conducts over $300 million of trade with Canada every single day, and relies on new ''just-in-time'' delivery methods that make United States-Canada border crossings an integral part of American automobile manufacturing. A delivery of parts delayed by as little as twenty minutes can cause expensive assembly line shutdowns.

Unfortunately, testimony at the two Immigration Subcommittee hearings I chaired on this topic indicated that delays at the border could immediately exceed 24 hours. Implementation of entry and exit control at the land borders would effectively shut the border and effectively shut down the auto and many other industries. It would also

involve untold expenditures in the billions of dollars for new infrastructure and personnel.

I would like to thank my colleagues for appreciating the seriousness and urgency of this problem. The Senate spoke with one voice on this issue when it granted unanimous consent to the legislation I introduced. Senate bill 1360, that removed any requirement to implement entry and exit control at the land borders and instead provided for a feasibility study on implementing section 110 at the land borders. Last week, the Senate granted unanimous consent to a stopgap measure I introduced to ensure that implementation would not be required pending our resolving this on a longer-term basis.

My colleague from New Hampshire, Senator GREGG, who is the chairman of the Commerce, Justice, State Appropriations Subcommittee, also appreciated the importance and urgency of this issue when he ensured that a provision concerning section 110 was included in the Senate Commerce, Justice, State appropriations bill.

Mr. GREGG. I thank the Senator from Michigan for pointing that out. We included a repeal of section 110 in the CJS appropriations bill. Section 110 would require a tremendous amount of appropriations for what would be, in my view, almost no tangible benefit. We should be responsible with our appropriations and ensure that federal monies are spent on immigration enforcement efforts that really will be effective, rather than on unintended, untried, and untested systems.

Mr. ABRAHAM. Is my understanding correct that the current appropriations legislation before the Congress does not include any funding for implementing entry and exit control at the land borders?

Mr. GREGG. That is correct.

Mr. ABRAHAM. I would hope that the appropriators will ensure in the future that no money is appropriated for this system until it is certain that the system will cause no additional delays at the land borders and will not harm American trade, tourism, or other legitimate cross-border traffic in any way. Do you agree?

Mr. GREGG. I agree with you entirely on that.

Mr. GORTON. Let me just add, both as a member of the Appropriations Committee and as a Senator from the State of Washington, that I agree that no money should be spent on implementing any such system at the land borders or seaports until we are assured that no adverse consequences will result. I am convinced that the consequences would be disastrous. I would also like to ask the distinguished Majority Leader for his support.

Mr. LOTT. I thank my colleagues. I agree that we have no idea at this point what sort of system would be implemented at land borders and seaports or how much it would cost. Under the compromise worked out with the House and included in the omnibus legislation, there will be no implementation at the land borders or seaports for 2½ years. I hope that will give us enough time to figure out what to do with this.

Let me assure my colleagues that if it becomes clear that such a system will not be able to be implemented without adverse effects on our border communities, on trade, or on tourism, I will work with them on authorizing legislation to remedy any problems and will work with them to ensure that no appropriations go toward implementing any system that will not be acceptable to them and supported in their States.

Mr. ABRAHAM. I thank the distinguished Majority Leader for his concern and his support. I would also like to note that the compromise language provides that the system to be developed by the INS must ''not significantly disrupt trade, tourism, or other legitimate cross-border traffic at land border points of entry.''

As I have noted, delays of even 20 minutes or less could cause very significant disruptions in the auto industry in Michigan. I am sure the many other industries and States affected will face similar devastating consequences from increases in waiting time at the land borders. Disruptions must be considered all along the chain of production and trade and in the widest possible context, not simply in terms of what actually occurs at the border, in determining whether or not they are significant. Do my colleagues agree?

Mr. LOTT. I agree.

Mr. GORTON. I agree.

Mr. GREGG. I agree.

Mr. ABRAHAM. I thank my colleagues and appreciate their support.

I will be working to ensure that such a system never harms our borders and our trade, and will also be working on providing that this issue is properly studied before it is implemented.

Mr. DURBIN. Mr. President, I would like to commend the distinguished Senator from Michigan for all of his hard work on the H1B visa program. I voted against passage of this measure in the Senate in the spring but today am happy to have it included in the omnibus. This is due to the incredible efforts of Senator ABRAHAM. This is a well-balanced measure that addresses the needs of the business community while protecting the well-being of American workers. One of the most impressive accomplishments in this proposal is that it attempts to meet a short-term labor shortfall while instituting a program to ensure a long-term labor supply. The bill creates a new program of grants to provide technical skills training for workers.

This bill contains provisions to ensure that Americans will not be harmed by this legislation. A $500 fee paid by businesses wishing to participate in the H1B program will raise approximately $75 million annually to be split between a scholarship program for underprivileged high school students studying mathematics, computer science, or engineering and funding for job training programs which focus on information technology.

One project that I hope would be supported under this new program is the DePaul University High-Tech Workforce Pilot Program in Chicago. It was developed in conjunction with Chicago companies and local government with the goal of preparing America's workforce to compete in the dynamic high-tech industry. It has also been developed to be a model that can be replicated by other universities and cities. I believe that DePaul's training, retraining and education program will expand America's skilled labor force.

Let me again congratulate, Senator ABRAHAM for his success and hard work.

Mr. ABRAHAM. Mr. President, I thank the Senator from Illinois. As he pointed out, the American Competitiveness and Workplace Improvement Act, includes a provision to provide math, engineering and computer science scholarships to needy students and a provision to provide additional worker training programs. There are a number of pilot programs being developed around the country to provide high-tech training to American workers. As Senator DURBIN mentioned, DePaul University has developed just such a pilot program to address the shortage of qualified U.S. high-tech workers that might well serve as a good model for other programs across the country. Programs like the one developed by DePaul University are what we had in mind when the training provisions were drafted.

NATIONAL SECURITY

Mr. MACK. Mr. President, I understand that language has been added to section 117 of the FY99 Treasury-Postal appropriations bill since that bill was passed by the Senate. It is also my understanding that this bill will be included in the omnibus spending bill. I would like clarification from my colleague from North Carolina who attended the conference on this legislation.

Mr. GRAHAM. I join my colleague from Florida in making this inquiry. Since enactment of the provision by the Senate, I have noted that a new section (d) has been added in conference, which provides that the President may waive the ''requirements'' of this section in the national security. I note that the term ''requirements'' may require clarification. As I understand the import of this language, it does not allow the President to waive the section as a whole, but only those part that relate to ''requirements'' on the Secretaries of Treasury and State. Is that the understanding of the Senator from North Carolina?

Mr. FAIRCLOTH. Yes, that is my understanding, and that is confirmed by the Report of the Conference Managers, which distinguishes between the term

''provision'' and the term ''requirements of this provision.'' And it is further my understanding that, to the extent that the section 117 establishes any ''requirements'' within this so-called waiver provision, those requirements are contained only in new section (2)(A).

Mr. LAUTENBERG. As the author of the original provision, Mr. President, I can assure my colleagues that it was my intention that state sponsors of terrorist acts against Americans pay the price for their deeds set by U.S. courts. I did not include a waiver because I don't believe countries which sponsor terrorism should be shielded from these judgements. On the interpretation of the waiver added in conference, I would have to rely on the Senator from North Carolina and the chairman of the Appropriations Committee.

DEPARTMENT OF ENERGY'S WINDOWS PROGRAM

Mr. MACK. Mr. President, I would like to engage Senator GRAHAM in a colloquy concerning the Department of Energy's energy saving windows program. I would first like to thank Senator GORTON for his past efforts in assisting the State of Florida's development of electrochromic technology. We support the Department of Energy's continued support of the State of Florida's electrochromic program.

Mr. GRAHAM. Electrochromic technology provides a flexible means of controlling the amount of heat and light that pass through a glass surface providing significant energy conservation opportunities. I understand the Department of Energy estimates that placing this technology on all commercial building windows in the United States would produce yearly energy savings equivalent to the amount of oil that passes through the Alaskan pipeline each year.

Mr. MACK. I have been told the State of Florida has provided over $1.2 million toward the advancement of plasma enhanced chemical vapor deposition (PECVD) techniques for electrochromic applications. The program is being undertaken in conjunction with the University of South Florida and utilizes the expertise and patented technology of the National Renewable Energy Laboratory in Colorado.

Mr. GRAHAM. This program is an excellent example of successful technology transfer from a national laboratory as well as an example of a successful public/private partnership. I understand the program is consistent with industry priorities and the goals of the Department of Energy's energy saving windows program.We hope that the Department of Energy will provide no less than $1 million of Fiscal Year 1999 funding for electrochromics to further the State of Florida's development of PECVD techniques for electrochromic technology.

Mr. MACK. I understand that the State of Florida's development of plasma enhanced chemical vapor deposition (PECVD) for electrochromic applications is consistent with the priorities of the industry within the United States and the goals of the Department of Energy's windows program?

Mr. GRAHAM. Senator you are correct. I would also like to voice my concern regarding Fiscal Year 1998 funding that has not been provided by the Department of Energy to assist the State of Florida's program.

Mr. MACK. I agree with you Senator. I hope the Department of Energy will move quickly to release Fiscal Year 1998 funding in an effort to maintain domestic superiority in this important energy conservation technology.

FISCAL YEAR 1999 TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS—MIDWEST HIDTA

Mr. HARKIN. Mr. President, I would like to thank Chairman CAMPBELL for his hard work, commitment, and dedication to increasing the funding level for the high-intensity drug trafficking areas in the fiscal year 1999 Treasury and General Government appropriations bill. When the Senate version of this legislation was being debated on the floor, Chairman CAMPBELL and I worked together to increase funding for several of these areas, including an additional $3.5 million for the Midwest HIDTA.

Mr. President, in the last three years, the Midwest has experienced a phenomenal increase in the importation, distribution, and clandestine manufacturing of methamphetamine. The region's central location, variety of interstate highway systems, along with its air and rail hubs enhance, its popularity as a market for Mexican methamphetamine trafficking operating out of the Southwest border areas. The Midwest HIDTA is integral to the strategy employed by each state to reduce methamphetamine importation, distribution, manufacturing, and related criminal activity.

Although the conference report for the fiscal year 1999 Treasury and General Government appropriations bill did not include specific funding for each HIDTA, the conferees did include a significant increase in HIDTA funding.

Therefore, I would like to ask the Chairman of the Treasury and General Government Appropriations Subcommittee if it was the intent of the conferees that a large portion of the increase in HIDTA funding should go to the areas which were specifically listed in S. 2312 as passed by the Senate. These areas include the current Midwest HIDTA, an expansion of the Midwest HIDTA to include the State of North Dakota, the Central Florida HIDTA, the Cascade HIDTA, and the Southwest Border HIDTA.

Mr. CAMPBELL. I thank my colleague from Iowa for raising this issue. The Senator from Iowa is correct that the conferees did not include a specific increase in funding for the individual HIDTA's. However, it is my hope that the Office of National Drug Control Policy will use these extra resources to fund an increase in those HIDTA's which demonstrates the greatest need. Consideration should be given to those HIDTA's cited in the amendment described by the Senator from Iowa.

Mr. HARKIN. I thank my colleague from Colorado for his assistance in this matter, and for his efforts to increase the safety of our citizens by substantially reducing drug-related crime and violence.

ENERGY EFFICIENCY

Mr. MURKOWSKI. Mr. President, I rise today to further clarify that the language in the legislative report that accompanied S. 2237 with respect to energy efficiency codes and standards was not intended to conflict with existing laws. This issue was debated thoroughly when the Congress passed the Energy Policy and Conservation Act in 1975, and again in the debate over the 1992 Energy Policy Act. I ask unanimous consent to have printed in the RECORD a letter from seven of my colleagues expressing concern over this language.

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

U.S. SENATE,
Washington, DC, September 3, 1998.

Senator FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN. We are deeply concerned over language in the legislative report that accompanies S. 2237, The Department of the Interior and Related Agencies appropriations bill. Several sentences in the Energy Conservation section of the report (pp. 100–101) reverse nearly a quarter-century of federal policy and ignore the clear statutory direction given in the Energy Policy and Conservation Act 1975 (''EPCA'').

EPCA is where the Department of Energy's appliance efficiency program began and it clearly says (at 42 U.S.C. 6291) that DOE should measure ''the quantity of energy directly consumed by a consumer product at its point of use.'' Then and now, others believe that DOE's standards should be based upon a more expansive definition of energy use, one that included exogenous factors like ''total fuel cycle'' costs, emissions and externalities.

Congress and the President wisely rejected such an approach both in 1975 and in succeeding debates in recognition that determining the energy use of an appliance at its point-of-use is a measurement, while attempting to factor in various exogenous factors is an attempt to estimate that which cannot be measured, projected, quantified or extrapolated with any real accuracy. It is a case of comparing hard, objective measurements with soft, subjective estimates.

This approach was clearly seen as unworkable in 1975. Nothing that has happened in the intervening twenty-three years makes it any more workable toady. No two people could agree on which exogenous factors should be quantified, let alone how they might be quantified. The resulting numbers would be useless, reflecting politics rather than good science, engineering or mathematics.

This report language, which directs the Department to drop the current ''point of use'' standard in favor of this expansive ''source based'' standard, was inserted with no hearings, no debate and no attempt to involve the committee of jurisdiction, which you chair. In addition, DOE's recently formed Advisory Committee on Appliance Standards

was completely ignored by the ''source energy'' advocates, who are themselves members of the Advisory Committee.

We urge you, as Chairman of the Energy Committee, to assert your committee's jurisdiction over this statute and program. A program that has provided America's consumers with accurate and useful information for the past twenty-three deserves thorough review before changes of this magnitude.

Sincerely,

TOM HARKIN.
CHUCK GRASSLEY.
CRAIG THOMAS.
MICHAEL B. ENZI.
LARRY E. CRAIG.
JOHN GLENN.
JAN KYL.

Mr. MURKOWSKI. During past consideration of this issue, the majority of Congress determined that energy consumed at the point of use can be measured, projected and extrapolated with greater accuracy than data based on subjective estimates of externalities, such as emissions, and ''source energy.'' This determination is clearly reflected in the authorizing statute, 42 USCS Section 6291, which defines ''energy use'' as ''the quantity of energy directly consumed by a consumer product at point of use, determined in accordance with test procedures under section 323 (42USCS Sec. 6293).'' Any substantive change in existing law and policy should only be undertaken after careful consideration by the authorizing committee of jurisdiction, the Committee on Energy and Natural Resources.

With respect to the Federal Energy Management Program, another program potentially affected by this language, 42 USCS 8253 and Executive Orders 12759 and 12902, which relate to improvement in energy efficiency in federal buildings, stating that ''each agency shall apply energy conservation measures to, and shall improve the design for the construction of, its Federal buildings in use during the fiscal year 1995 is at least 10 percent less that the energy consumption per gross square foot of its Federal buildings in use during the fiscal year 1985. . . .''

The June 1996 policy statement of the Federal Intergency Energy Policy Committee interprets these authorities as encouraging cost-effective energy projects that results in ''operational cost savings,'' regardless of whether that consumption is measured on a site basis or a source basis. While this allows the goal of reduced energy consumption to be demonstrated by source or site analysis, saving taxpayer dollars is retained as its primary criteria for projects. A change to consideration of externalities and ''source energy efficiency'' over direct cost savings would be a major change that should also be undertaken only after thorough analysis of its impact by the authorizing committee.

I understand the concern that the Department could improve the analytical methods that are used to calculate ''source'' energy efficiency, which would give consideration to the full panoply of costs involved in using various appliances and making other energy efficiency decisions. Under the authorizing statute, the Department may make an effort to reduce the subjectivity involved in making the estimates necessary to make ''source energy'' calculations.

This work can be taken into account as the appropriate authorizing committees consider changes in our existing national policy. Until that time, the existing statutes are the law of the land.

THE AMERICAN FISHERIES ACT

Mrs. MURRAY. Mr. President, the Omnibus Appropriations measure before us contains an important provision regarding foreign ownership and control of United States fishing vessels as well as a resolution of disputes regarding the North Pacific pollock fishery. More than one year ago, Senator STEVENS introduced S. 1221, the American Fisheries Act. A major purpose of this legislation, and a goal I strongly support, was to further increase the level of ownership of U.S. fishing vessels. The Americanization of the U.S. fishing industry began in 1976 with the passage of the Magnuson Fishery Conservation and Management Act which established a 200 mile Exclusive Economic Zone (EEZ) and prioritized access to fishery resources within the EEZ to American citizens. This legislation is an historic milestone in international marine policy and set a precedent that all coastal nations have followed. It was an important step in securing American control of the vast fishery resources off our coastlines.

Eleven years later, another step was taken to further Americanize U.S. fisheries. The 1987 Anti-Reflagging Act required U.S. citizens to own and control at least 51% of any U.S.-flag fishing vessels. This Act also included grandfather provisions that, because of drafting errors, allowed any current U.S. flag fishing vessels that did not meet the new standard to be exempt from the new ownership standard and allowed vessels under contract to be rebuilt into fishing vessels in foreign shipyards to retain their U.S. fishing privileges. The two grandfather provisions allowed a far greater degree of foreign owned and controlled fishing vessels to remain is U.S. fisheries than had been intended. Although the United States Coast Guard correctly interpreted these grandfather provisions in a legal sense, there has been ongoing controversy regarding Congressional intent with these grandfather provisions and their application by the Coast Guard.

Eleven years later, the American Fisheries Act will finally resolve this issue. It requires a real, effective, and enforceable U.S. ownership threshold for U.S. flag fishing vessels. Under this Act, U.S. citizens must own and control 75 percent of the ownership interest in any U.S. flag fishing vessel. I strongly support these provisions as an important step in our ongoing efforts to Americanize the fisheries of the United States EEZ. It is time to more fully ensure that the vast fishery resources of the United States are harvested by Americans. These provisions will go a long way to making that the case.

In addition to the further Americanization of U.S. fisheries, the Title included in the Omnibus Appropriations measure also resolves the long-standing allocation battles surrounding the North Pacific pollock fishery. When S.1221 was introduced by Senator STEVENS in September 1997, one of the goals in addition to Americanizing the U.S. fishing fleet was to phase out a number of Seattle-based catcher processors that had used the grandfather provisions of the 1987 Anti-Reflagging Act to enter the pollock fishery. Senator SLADE GORTON and I strongly opposed the original legislation because of the devastating impact this phase out would have had on Washington state jobs andthe Puget Sound economy. However, there were a number of Washington state constituencies who strongly supported the legislation and the phase out of these catcher processors.

In the interest of resolving this issue, Senator GORTON convened a meeting in August 1998 of all the major participants in the North Pacific pollock fishery to explore the possibility of reaching a settlement of the dispute. My good colleague from Washington state established a number of principles which all the parties agreed to and guided the discussion of potential solutions. Those discussions led to the conclusion that 4 key issues needed to be addressed: Americanization, decapitalization, rationalization, and reallocation. This meeting led to a series of intense negotiations among the major North Pacific pollock fishery participants, led by Senator STEVENS office, that provided the framework for the legislation before us.

While my colleagues from Alaska and Washington have provided a much more detailed outline of the provisions of the American Fisheries Act, I would like to summarize some of the key aspects.

This bill includes a substantial reallocation of the North Pacific fishery resource, one of the most valuable fishery resources in the world. The 1.2 million metric ton fishery is worth approximately $250 million annually. For the last 6 years, there has been tremendous allocation disputes regarding this resource before the North Pacific Fishery Management Council. Prior to 1992, the offshore component of the fishery harvested approximately 85% of the resource. In 1992, the North Pacific Fishery Management Council reduced this harvest level by allocating 35% of the resource to the onshore component of the fishery, that is, catcher boats delivering to onshore processing plants. Recently, the Council recommended to the Secretary of Commerce increasing this percentage to 39%. This bill provides 50% of the resource to the onshore sector, 10% to the mothership

sector, and 40% to the offshore sector, permanently resolving the long-standing allocation battles over this valuable resource. With each percentage point of the total allowable catch valued at approximately $5 million, this shift in harvest opportunity represents anywhere from a $55 million to $75 million reallocation.

To offset this massive move of fish, the legislation includes a substantial reduction in the excess fishing capacity in the offshore sector. Overcapitalization has been an ongoing problem in all North Pacific fisheries and is the source of the allocation battles that ensue over these fisheries. This act will permanently remove nine pollock factory trawlers from the pollock fishery, in fact, from the U.S. EEZ entirely. Eight of these vessels will be scrapped, preventing them from being used in any fishery in the world. In exchange for retiring these vessels and transferring the pollock catch history associated with them to the onshore sector, the owners of these vessels will be paid $90 million. An additional $5 million will be paid to the remaining participants in the offshore sector of the fishery for the additional reduction in the offshore allocation. $20 million will be provided by the federal government as it bears responsibility for the failure of the 1987 Anti-Reflagging Act to effectively keep foreign fishing vessels out of the U.S. EEZ. The remaining $75 million will be paid by the onshore sector through a federally-guaranteed loan.

Replacement of the capacity represented by these removed vessels is prevented by statutorily establishing either through explicit listing of the vessels or specific criteria for participation, the factory trawlers, motherships, catcher boats, and onshore processors that can continue to participate in the North Pacific pollock fishery. This listing of the eligible fishery participants is essential to preventing recapitalization of the fishery and ensuring that steps toward rationalizing the fishery can proceed. It has not been done without controversy, however. There has been a great deal of concern among the fishing industry in Washington state and Alaska about the exclusive listing of onshore processors. Many fishery participants have made a distinction between addressing overcapitalization on the water and on the land. Many have argued that the exclusive listing of onshore processors will deny fishermen competitive markets for their fish. Others are concerned that it locks in substantial foreign investment in the processing sector of the fishery while at the same time the bill seeks to further Americanize the harvesting of fish in the U.S. EEZ. I share these concerns. However, the need to rationalize this fishery necessitates this action. In the absence of this provision, the ability to proceed with the formation of fishery cooperatives as a means to end the race for fish could not be successful. In the end, I feel the potential benefits such rationalization could provide for both the resource and the industry dependent upon it justify this action. Nonetheless, I think it imperative that both the Council and the Congress closely monitor the impacts of this provision to ensure it achieves our goal of improving the situation for fishermen. If not, additional measures may need to be taken.

This bill relies in great measure on the ability and willingness of the North Pacific pollock fishery sectors to form fishery cooperatives. Fishery cooperatives, authorized under current law, are a privately negotiated allocation on a company-by-company or vessel-by-vessel basis of a portion of the total allowable catch. Similar to an individual fishing quota program, cooperatives provide fishery participants with the certainty they need to stop the race for fish, and harvest and process the fish on a more flexible schedule with greater attention to bycatch, efficiency, and safety. The existing fishery cooperative in the offshore sector of the Pacific Whiting fishery has shown tremendous benefits in these regards and has helped rationalize the fishery. It is hoped that cooperatives can do the same in the pollock fishery.

In the interest of ensuring that small, independent fishermen are the true beneficiaries of fishery cooperatives, the bill includes a number of requirements for fishery cooperatives in all three sectors which are designed to provide these small, independent fishermen with sufficient leverage in the negotiations to protect their interests.

In addition, the bill attempts to ensure adequate protections for other fisheries in the North Pacific and Pacific from any potential adverse impacts resulting from the formation of fishery cooperatives in the pollock fishery. The formation of fishery cooperatives will undoubtedly free up harvesting and processing capacity that can be used in new or expanded ways in other fisheries. Although many of these vessels and processors have legitimate, historic participation in these other fisheries, they should not be empowered by this legislation to gain a competitive advantage in these other fisheries to the detriment of participants who have not benefitted from the resolution of the pollock fishery problems.

While we have attempted to include at least a minimum level of protections for these other fisheries, it is clear to many of us that unintended consequences are likely. It is therefore imperative that the fishery management councils not perceive the protections provided in this bill as a statement by Congress that these are the only protections needed. In fact, the opposite is true. Although the protections provided for the head and gut groundfish offshore sector from the pollock offshore sector are more highly developed and articulated in the bill, the protections for other fisheries are largely left for the Councils to recommend. Those of us involved intimately in the development of this legislation strongly urge the Councils to monitor the formation of fishery cooperatives closely and ensure that other fisheries are held harmless to the maximum extent possible.

In particular, the legislation directs the North Pacific Council to address the issue of latent capacity in the Bering Sea crab fishery. I am deeply concerned by the recent failure of the North Pacific Council to address this issue in response to this legislation. The relatively minor level of protection provided in the bill for the Bering Sea crab fishery should in no way be construed by the Council as sufficient to protect the crab fishery from potential adverse impacts of pollock fishery cooperatives nor should it be deemed sufficient to address the issue of overcapitalization of the crab fishery and the need to remove latent capacity. I strongly urge the Council to take measures to further reduce latent capacity in the crab fishery beyond that which the License Limitation Program addressed and to avoid rewarding speculative participation in anticipation of the developing industry-funded capacity reduction program being developed by the crab industry. At the same time, the Council should ensure that true historic participants in the crab fishery who have made legitimate investments to harvest crab are not eliminated.

The American Fisheries Act title in this Omnibus Appropriations measure is an important next step in our efforts to Americanize U.S. fisheries and ensure their long-term sustainable use. I support this provision and will work with my colleagues to ensure that is effectively and fairly implemented. In closing, I want to thank Senator STEVENS, GORTON, and MURKOWSKI for their hard work on this legislation. I would also like to acknowledge the hard work of Trevor McCabe, Jeanne Bumpus, Bill Woolf, Martin Kodis, and my own staff, Justin LeBlanc. Without their dedication and perseverance, we would not have put this legislation together.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, it is my understanding there is some time remaining on this issue, is that correct?

The PRESIDING OFFICER. There is indeed. There are 41 minutes under the order; 30 of those minutes have been allocated so there remains 11 minutes.

Mr. DURBIN. Mr. President, I rise to address this piece of legislation which is being talked about on the floor. Millions of people come to Washington, DC, every year to see the sights of Washington. One of the most impressive is a trip to the Archives. Go to the Archives and see the glass cases. In those cases you will find the Constitution of the United States in its original form and the Declaration of Independence. Schoolchildren remember that for a lifetime. They have seen a document that is historic.

I might say to my colleagues in the Senate, I have just seen a document that is historic. Not 50 feet away from where I stand, in room 224, sits a document of 4,000 pages; some 25 pounds of paper that comprise this omnibus legislation we are talking about, a measure rarely seen by anyone.

Is it important? A third of the Federal budget is in that document in that room, and most of the Members of the Senate, aside from a glance walking through, will not see anything else in the document. If we are quizzed as to what is in the measure, we are hoping that our staff or someone else has read it because, frankly, we have not.

How did we get in this predicament? How are we here, on October 20, at the tail end of a misspent life, wondering why this Senate and this Congress were so unproductive during the 105th Congress? Some want to blame the President. But I remind those who do to take a look at the Constitution, because the Constitution has established three branches of Government, each with a responsibility. In this case, our responsibility was, on April 15, to pass a budget resolution, a resolution which was to be basically a blueprint for all spending by the Appropriations Committee.

I see the Senator from Alaska, the chairman of the Appropriations Committee, here. I have served on the House Appropriations Committee, and I know that budget resolution is your guide, your roadmap, for determining how much each department can be given in money. Does the President write the budget resolution? No. It is passed by the House, then the Senate. It is enacted by them as a resolution and not a law. The President doesn't even sign it.

What happened this year? We never passed a budget resolution. For the first time in 25 years we failed to pass a budget resolution. Was it the President's fault? Not at all. It was the fault of the House and the Senate. You see, the Senate passed its version of the budget resolution. When it went over to the House, they said, ''We think the surplus is so invigorating we want to give away $800 billion in tax cuts.'' Luckily, some Republican Senators—Democrats as well—said that is irresponsible and stopped it in its tracks, and that was the end of the discussion.

Then everything started piling up. We did not pass a budget resolution. We did not pass seven appropriations bills. In fact, you would need a bloodhound and a flashlight to find anything that we have done in the past year that we have been in session—with the exception of renaming Washington National Airport after President Reagan.

Here we are, 3 weeks into this new fiscal year, without a budget resolution trying to play catchup. We are fearful of another Government shutdown, because Congress has failed to meet its responsibility, and we are moving to try, in one vote in the House today and the Senate tomorrow, to correct the mistakes of a year with one bill: 4,000 pages, 25 pounds of documentation.

This Congress has failed to pass campaign finance reform, a bipartisan measure supported by the President—killed on the floor of the U.S. Senate. This Congress has failed to pass any effort to stop the tobacco companies from luring our children into addiction—another bipartisan effort, killed on the floor of the Senate. This Congress has failed to pass a Patients' Bill of Rights, reform of managed care so that all of us as patients have some rights to quality care when we go to see a doctor or to a hospital—killed on the floor of the Senate. We have failed to do anything to preserve the Social Security system beyond the year 2030, even though we have the wherewithal in this surplus to start speaking in specific terms about doing that. We have failed to pass the legislation proposed by my colleague, Senator CAROL MOSELEY-BRAUN of Illinois, to invest in 5,000 new and repaired schools across America to try to address the onslaught of children who will be coming into school, increasing the school population of our Nation and making certain that current schools have the technology to be able to teach our children as they should. We did not address that, either.

Literally in the closing days of negotiations, President Clinton came to the negotiators, to the Republican leaders, and said: This Congress will not leave town without doing at least one thing, one thing for education, but an important thing—reducing, on a nationwide basis, class size in grades kindergarten through 3 to no more than 18 students in a classroom. That is what the 100,000 teachers are about, so we have enough teachers so kids have the kind of attention they need at the earliest time in their educational development.

I happen to think that is one of the most important things we could do in our Nation. My wife and I raised three children. We are watching a little grandson grow up right now. You come to realize what early childhood development means. The biggest growth industry in America today is the construction of prisons. How many of those prisoners might have had a different life if they got off to a better start?

That better start could have been a better classroom experience, a better education.

When I asked the warden of a prison in Illinois recently about how many of the inmates there came to prison even close to any level of competency in education, he said fewer than half. Most people who show up in prison have little or no educational skills. It is part of their frustration. I won't make that as an excuse for committing a crime, but certainly you can understand the frustration and waste involved when we don't use education well.

President Clinton said to the negotiators, ''You won't leave town, you won't put together this bill unless and until you include at least one initiative for education in America.'' He pushed hard for it. He achieved it.

I am happy there is more money for Head Start. That is an excellent investment.

There is more money as well for the National Institutes of Health. On a bipartisan basis, we are increasing medical research by 14 percent—a smart thing to do.

The health insurance deduction for the self-employed is accelerated so they can be treated fairly, so small businesses and farmers get a fair share.

And there is agriculture relief which, to those of us in the Midwest, means a lot. In Illinois, the Dakotas, Minnesota, all across the Midwest, we face a crisis. Luckily, with the President's leadership, we increase the money in this bill to take care of it.

There are other things as well—food safety initiatives, which I support, and funding the IMF.

But there are things we failed to do. Can you believe we are still in a deadbeat status, the United States of America, when it comes to paying our United Nations dues? We were a few million dollars away from being disqualified in voting in the Security Council because we continue to stiff the United Nations year after year after year, an agency which we turn to, as President Bush did with the Persian Gulf war, as we do on a frequent basis, to try to promote peace in the world and to promote the goals of our foreign policy.

This Congress refuses to pay our dues. It is an embarrassment. We are a nation which calls on the world to meet its moral responsibilities, and yet we don't meet our moral responsibility in paying these dues. That is a disgrace, as far as I am concerned.

There are going to be things in this 4,000-page bill—I just learned of one. My friend, Senator BARBARA BOXER, got on the floor with me—and Senator WELLSTONE remembers the debate—and we talked about all the oil companies drilling for oil on publicly owned land, land owned by the taxpayers, and refusing to pay us a fair rental based on the cost of the oil.

We basically said to the Department of the Interior: Adjust that rate; make sure the taxpayers don't get cheated on this oil.

Guess what? A provision in this 4,000-page bill will cost the taxpayers 60 million bucks a year so these oil companies can continue to drill on our land that we own as a nation and refuse to pay a fair amount for drilling for that oil. Sound like welfare to anybody? Sounds like welfare to me, and it is in this bill. It is corporate welfare for a handful of the biggest oil companies, and it is shameful.

There are people who take the television stage and go on the shows and talk about, Where is the sense of outrage in America? Good question. They want to address that question as to one

person. I want to address it as to one bill of 4,000 pages. There should be a sense of outrage that this bill was promulgated in darkness, behind closed doors that literally no one has read, that includes gifts like the $60-million-a-year gift to the oil industry, and God knows what else. And here we are.

I said to the chairman of the Senate Budget Committee, ''If we don't need a budget resolution, why do we need a Budget Committee?'' Maybe we can start by saving money in the 106th Congress by eliminating the Budget Committee. We didn't need it this year because whatever we did certainly wasn't useful. It didn't produce a budget resolution which was so important for all of us.

There are provisions in here as well that touch people where they live: the whole question, for example, of home health care interim payments. There is a lot of concern, because so many seniors and disabled people rely on home health care. The current system needs to be changed. I will tell you, the so-called ''fix'' in this bill is no fix at all. We will have to revisit it. It is another failure of the 105th Congress, and that is troublesome to me and, I hope, to a lot of others.

Then, of course, we have this doomsday scenario in the bill which cuts off the spending for the Commerce Department, the State Department, the Justice Department and the judicial branch of Government as of June 15 of next year. So even with the 4,000-page bill, we are not appropriating enough money to fund those agencies for a year.

We are postponing, again, facing the reality of what needs to be done in this Nation. All of us who are elected to the House and Senate are entrusted with the responsibility to enforce and live by the Constitution and to meet the obligations of this country. This 105th Congress has failed to do that. The fact that we are even here on October 20, the fact that we are considering this mystery bill of 4,000 pages, still unread by most, the fact that we don't know what is included, we don't know what favors have been given to special interest groups or individuals and the fact that we are going to vote on this almost blindly within the next 24 hours is testimony to the fact that this Congress has accomplished little or nothing.

When the American people are asked, What did this Congress do this year, what did it achieve? they are at a loss for words.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I virtually am at the same loss today. I regret that. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, let me just thank my colleague, Senator DURBIN, for his remarks. I think they were important. I hope we can translate what the Senator from Illinois had to say about this bill—not into action tomorrow because this is a conference report, there are no amendments, it is voted up or down—I hope it leads to some important changes in this legislative process.

I listened to my colleague from Illinois, and there are two points that he made that I want to build on. The first has to do with the way this was done. I really think it is not just a question of the people in the country, whether they be in Illinois, whether they be in Minnesota, whether they be in Idaho, Alaska or any other State. It is not just a question of people in this country saying, ''Listen, we want to have campaigns, not auctions; is there a way we can get this big money out of politics?'' But we didn't do anything in this Congress.

It is not just a question of people saying we are one of 43.5 million people with no health insurance, or we are elderly people who are paying a quarter of our budget for prescription drugs, or I am one of too many examples in the country where I was turned down for care that I needed by a kind of bottom-line medicine with insurance companies too much in control; isn't there any protection for me?

It is not just bad enough we didn't respond to any of that. It is not enough that this Congress did absolutely nothing, in spite of all of the hype and too many of the speeches that were given for children in America. I am convinced that the ultimate indictment of the failure of this Congress to do hardly anything positive for people in our country is the way in which we continue to abandon too many children in the country and devalue the work of too many adults who work with those children. For all the families that said to us, Is there some way that you can make child care more affordable for us; is there some way that we can make sure that when both of us have to work, there is good child care for our children, child care that we can afford? —our response was to do nothing.

It is not enough, Mr. President, that when it comes to the issue of living-wage jobs—which I think is going to become a bigger and bigger issue. Sometimes I fault my own party for continuing to talk about the number of jobs and the relatively low level of unemployment. But boy, I will tell you, when you add to the equation people who are only working part time because they can't find the full-time jobs, or when you add to the equation people who are working full time, 52 weeks a year, 40 hours a week and are still poor in America and still look for a raise for themselves, a decent wage, again, the response of our Congress was to do nothing.

I don't think that is the real issue that we are faced with here. I want to count myself as someone who is in profound disagreement with a Congress that basically has been a do-nothing Congress. I think that in the last several months out here on the floor, as a Senator who really believes in coming out here with amendments and trying to respond to people and really do something for people, it has been a little frustrating to have a process that is just not open and you are able to do that. I also understand the majority leader and some of what he has had to deal with.

Now we have a bill before us—I heard my colleague from Illinois say, I think, 25 pounds. I heard it weighs 40 pounds. Somebody will have to weigh it. It is 2 feet tall. That is a third of my height, if you want to believe that. Actually, not quite. I guess I can't get away with that. But it is 2 feet tall, roughly 40 pounds, and we haven't even seen it.

We have had staff that are now trying to evaluate it. Can you imagine? You have eight appropriations bills put into this piece of what Senator BYRD called ''this monstrosity,'' weighs close to 40 pounds, 2 feet tall, and we have hardly had a chance to look at it. And we are going to vote on it tomorrow.

And in all due respect to my colleague from Alaska, I want to be clear about it. At least in the time I have been here—and I am not just trying to make friends because, boy, if Senator STEVENS does not agree with you, he is out on the floor and he makes it clear what his position is—he is probably the best there is at getting things done here. It is amazing what he can put together. So I do not think it is a question of my colleague from Alaska.

But looking at this overall process, it is no wonder that people lose confidence in us. We have to do better. It is just unbelievable. It is not true that process does not matter. If this just looks like a bunch of behind-the-scenes deal making, with very few people kind of deciding what is in and what is out of a bill that is—how many pages?

Mr. DURBIN. Four thousand.

Mr. WELLSTONE. Four thousand pages. If ordinary citizens—which I mean not in a pejorative way, but in a positive way—have not the faintest clue of what is going on, and those of us supposed to be representing people have not been in a position to know what kind of decisions have been made, then it is no wonder that people say we do not believe in this.

I tell you, between what has happened with this bill and anonymous holds—which is another feature of this process that I really think we have to confront to take on where somebody can just put a hold on something or an individual judge, or whatever; and it is anonymous; and you never find out who it is—between that and conference committees where even if you pass an amendment in both bodies, the conference committee can take it out or something can be put in, I think we do have to do a lot better in this process. I think that should be at the top of the agenda in the next Congress.

Mr. President, I think that this bill—and as I speak, I do not even know how

I will vote on it. On one hand, it is like Fiddler on the Roof. It is certainly better than a Government shutdown. On the other hand, there are some important provisions in this bill. There are some things that are important that have been done. My colleague from Illinois talked about the strong position the President took and the strong leadership the President took on making sure that there are more teachers and how we can reduce class size in grades K through 3—critically important.

On the other hand, I do not really know all that is in this bill. I guess that puts you in a position of not necessarily voting—it is hard to vote for or against a bill if you do not really know what is in it. But I will tell you, some things I heard my colleague talk about—special deals for the oil industry, corporate welfare for the oil industry, and gosh knows what else has been put in this piece of legislation—makes me wonder, makes me wonder.

I say this, I think this bill—25 pounds, 40 pounds, 2 feet tall, several thousand pages—that we have not had a chance to review sort of represents our failure to deal with these appropriations bills, deal with this budget, have an open debate, have an accountable political process. And I think this bill that we are supposed to vote up or down on tomorrow—a conference report—represents the profound failure of this Congress to do well for people in Minnesota and people in the country. I think that is really what it is all about.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I have been on the floor for all of about 15 minutes. And I have heard——

The PRESIDING OFFICER. Does the floor manager yield time?

Mr. STEVENS. How much time does the Senator seek?

Mr. CRAIG. Ten minutes.

Mr. STEVENS. I yield the Senator 10 minutes.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. CRAIG. Let me thank the chairman of the Appropriations Committee for yielding time. I think he has probably been here on the floor, as I have, for the last few minutes to watch, at least by rhetoric, a very large piece of appropriations grow well beyond the dimension of reality, more into the dimension of hyperbole.

Let us talk about reality for a few moments, because I suspect that there is no Senator on this floor who will today or tomorrow express a great appreciation for the process under which we are now concluding this Congress—by the bringing together under an omnibus appropriations bill a variety of appropriations bills that should have been dealt with, one by one, on an individual basis.

That would have been the desire of every Senator on this floor. It would have also been the desire of every Senator on this floor, if we had not had 128 filed cloture motions in the last 4 years—cloture motions that were the result of the other side denying or filibustering given provisions of the process that ate up phenomenal amounts of time. That is not an excuse for anything. That is an expression that there is enough blame to go around for any of the process that gets criticized today by any Member who comes to this floor. It takes 60 votes in the Senate—if someone does not want the process to go forward, for that process to be denied to them—to require then the action on any given piece of legislation.

Time and time again, we were faced with the reality of having to file cloture. That is substantially more than was ever filed by Democrats because Republicans forced them to do that. It is the character of the difference—or should I say it is the character of the intensity of concern as it relates to the issues that came to the floor of the 105th Congress. I do not deny that. Those are facts. That is the reality of it.

I also say, if the measurement is a ''do-nothing Congress,'' you are darn right. We cannot take HMOs and turn the world of medicine upside down, as some of our colleagues on the other side wanted us to do.

We did not raise hundreds of billions of dollars of new taxes on middle America through a tobacco provision, as some of the folks on the other side of the aisle wanted us to do. And we did not take the right of free speech away from the average American in campaign finance reform, as most of our colleagues on the other side of the aisle wanted us to do.

If we did nothing on those things, we did a heck of a lot for the freedom of the average citizen in this country. And that is what ought to be the responsibility of this Congress: to make darn sure that we do not trample on the constitutional rights of our citizens. And that we did not do, over the loud cry and protest of our colleagues on the other side of the aisle.

Now, what did we do? Because the American public has the right to know what the 105th Congress did. Did we balance the budget? You bet we did.

In 1981, I introduced one of the first constitutional amendments to require a balanced budget on the floor of the U.S. House of Representatives. And the old dogs and the pundits at the time laughed and said, ''Freshman Congressman, not in your lifetime will you ever see a balanced budget. Deficit spending is the way we stimulate the economy of this great country. It's the way we give out pork. It is the way we buy political favor. And it won't happen in your lifetime, Congressman CRAIG''—at that time. ''You'll not see a balanced budget.''

Well, in 1994, the American people spoke. And they spoke in a way they had never before. And that was to change the Congress from Democrat and liberal to Republican and conservative. And not in 10 years, and not in my lifetime—but in 4 years the budget is balanced. And what we are debating here is an appropriations process that balances the Federal budget and still leaves $60 billion, or near that, in surplus, to deal with the strengthening and saving of Social Security, and also to deal with some of the emergency expenditures that the White House said were absolutely necessary and that most of us agreed with.

So criticize, if you will—and in any bill this big there is a world of criticism, if you want to be selective—but if you want to look at the biggest picture of all, and that is a fiscal policy in our country and a monetary policy that have meshed to bring one of the strongest economies in the history of the world together into the robust character that it is, then you ought to look at that. And that is called a balanced budget, that is called denying this President his $150 billion tax increase, and leaving more money in the pockets of the average citizens in our country, and especially the lower middle income working Americans. And that was not a Democrat Congress that did it; it was a Republican Congress.

I am proud of that. If the Democrats want to call that a do-nothing Congress, then please call it what you think it is, but tell the truth. We don't get it from the White House; we don't get it from the President.

We understand the reality of the work we do. The reality of the work we do—whether we like the process at hand —is that the budget is balanced, our Nation is in surplus, we will strengthen Social Security, and we didn't raise taxes on the backs of the American people. There isn't an economist in the world today who doesn't say if it wasn't for the U.S. economy, the world would be in a major recession, but it is because of the strength of our fiscal policy and our monetary policy combined that drives this great economic engine that has more Americans working than at nearly any time in modern history.

What about the problems in the farmlands of America in agriculture? Many of my colleagues went home in August, like I did, to talk to our farmers, and found our farmers not in recession but in depression. Nearly every commodity price was at or below break even, and many of them were well below break even. We had tried to respond in June and July in a very bipartisan way. We came back in August, dedicated to responding more, and we did. Democrat and Republican joined alike.

Now, we had a difference in philosophy. But in the end, we came together with tremendous benefit for production agriculture —both short term, cash-in-the-pocket to the farmer to pay his banker and to pay for his seed and fertilizer costs and, hopefully, to put food on the table for his family and to get ready to farm for next year.

We also did something else. We said what we are doing is short term; let's do some long-term good. Let's do what we promised American agriculture we would do when we passed the 1996 farm policy known as Freedom to Farm. Let's give them some permanent management tools to assure that they can strengthen their economic well-being. We did that in this bill, in this bill that some of our colleagues say they will want to vote against because they haven't read the fine print.

Permanent income averaging, accelerated 100-percent reduction for self-employed health care insurance premiums for both agriculture and small business—the same thing that big business has to write off their health care costs. Good management, good business. You are darn right it is. We offered it to them. We have also allowed them to reach back and pick up losses to carry forward, a tremendous help to production agriculture. I am proud of that. I think we ought to be because it was a promise made and a promise kept.

We also dropped a couple of sanctions that were denying us the ability to sell some of our product in world markets, with the pledge from our chairman of the Senate Agriculture Committee that will do even more of that next year. That was all done in a bipartisan way. We can pick around the edges and we can criticize the process, and my guess is there is lots of room for that.

As a conservative, I am as much a critic of that as anyone. But I am also a realist. I am proud of a balanced budget and I am proud we have a surplus. I am excited that the surplus goes to strengthen Social Security and pay down our debt. And I am pleased that in a real sense we were able to address the problems of American agriculture. I am pleased that in a real sense we were able to address the problems of people who had lived in a crisis because of Mother Nature, and we responded to that.

I also recognize that my colleagues on the other side of the aisle had a lot of heavy lifting to do when it came to trying to represent this White House. They wanted to talk about saving Social Security, yet the President never sent up one bill to address the Social Security problem. They wanted to rail on about taxes and teenage smoking, yet the President did not send up one bill to deal with it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STEVENS. I ask unanimous consent that the time allocated to Senator GREGG be vitiated, and I yield the Senator from Idaho the time reserved for Senator GREGG.

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

The Senator from Idaho.

Mr. CRAIG. I thank my chairman for yielding.

What I have talked about is the reality of the 105th Congress. Will it go down as a do-nothing Congress? Not if you read the facts. If you get caught in the political rhetoric and listen to it, you might be swayed a bit. But if you like balanced budgets, if you don't like to pay more taxes, if you don't want the Federal Government telling you what to do in a variety of areas—including health care—if you want to make sure that we develop and strengthen Social Security and provide for the future of our young people, if you want to assure us that you will work with us as taxpayers to keep the American food supply whole, then you would say that this Congress did something.

Now, let me, for just a moment, talk about some of what we ought to do when we get back. There will be a new Congress. It will convene in January. It will be called the 106th. There is no question in my mind that we ought to address change. The rules of the Senate that we operate under today were not written by this Senator. They were, in large part, by Senators from the other side of the aisle. I, and other Senators on this side of the aisle, have not had the votes to change those rules. Some of those rules ought to change. Why should we take 60 votes to lower taxes? Why should we penalize ourselves for wanting to return money to the American people? We shouldn't. It only takes 51 votes to spend money; why should it take more than that to deny Congress the right to spend? Those are some changes that we ought to make.

What we saw in this process in the last couple of weeks is something that I don't enjoy. The legislative and the executive branches are coequal branches of Government, but our budget and our appropriations process didn't work the way we wanted it to work. We could never engage the White House until they chose to be engaged. You heard on this floor, and it was a fact of life, that our President spent most of the year out of town. I am confident it wasn't too comfortable in the Oval Office because he spent most of his time out of town either in foreign countries or raising money for his colleagues. It wasn't until the last 3 weeks that we finally got his attention. It was only in the last 2 weeks that the White House finally came to the Hill to negotiate. That isn't the way it ought to be but that is the way it was.

Did the President get some of what he wanted? Yes, he did. Did he get all of what he wanted? Absolutely not. In fact, he got little of what he wanted.

All you hear about the President's gains are 100,000 teachers. I don't mind spending money for 100,000 teachers as long as it is under a formula where 30 percent of it doesn't stay in Washington to fund the Department of Education; in this instance it doesn't. It is block granted, in large part, back to the States and the local educational units. I don't think that is a Democrat idea. I think that is a Republican idea. I am proud of that. I think most of our colleagues, when they look at it, will be.

We did something else that this President did not want. We put more money into defense. In 1986, after 6 years of voting for every defense budget from 1981 forward, I quit voting for defense and started voting against it because I thought we spent too much money. Four years ago, I, once again, started voting for defense appropriations at a time when our President wouldn't own up to the fact that he was sending our troops everywhere around the world and pulling that defense money from current operating budgets and depleting our readiness and denying our soldiers the kind of environment and lifestyle that I think they all deserve.

Finally, this Congress and this negotiation process in the last 2 weeks said, ''Mr. President, we are going to stop it whether you want to or not. We cannot deny our military its readiness if you are going to use it as a police force running all around the world.'' And we put in more money.

That process shouldn't have happened in a small room with a few negotiators, but it did. By the way, it wasn't in the dark of night; and by the way, the room wasn't closed. But by the character of where this White House caused us to go, that is ultimately how the process got conducted, with fewer than the whole process and fewer than all of those who should have been there.

We have our work to do in the coming year, and I hope we can make some reforms. I am one that would like to see us streamline this process a good deal more and change some of the rules that allow for a more predictable outcome. But in the end, I am not going to be one standing on the street corner trying to beckon attention to the fact that the 105th Congress was some Congress that did nothing. We didn't do a lot of what some of our liberal colleagues wanted, and that is probably why they yell out today. We did not address the White House agenda in so many areas; we did not tax middle America; we did not take away flexibility from health care recipients; nor did we handcuff the provided.

Most importantly, we balanced the budget. We left a surplus. We are directing it at Social Security. I believe that is a hallmark, and I think the 105th Congress can be credited with doing more for the American economy and more for the working people of our country by keeping them employed in good, high-paying jobs and not taking more out of their pocket than any other Congress in history. That is a record I will stand by. That is a record I think most of our colleagues will want to stand by. If you believe as I do, then I think you ought to vote ''yes'' tomorrow—''yes'' on an appropriations process that is finalized, with all of those hallmarks of accomplishment and success and a balanced budget, and an economy that is strong, and a work force in America that is working, and a sense of security and well-being that

has not been felt in decades. I am proud of that, and I credit the 105th Congress for delivering it.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, am I to be recognized for 15 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. Mr. President, the 105th Congress is limping to a close, and I listened to my colleague from Idaho who, incidentally, I think is a good legislator and does good work in this Chamber. He is someone with whom I am pleased to work on a wide range of issues, including agricultural issues.

But I must say that I have a different view of the 105th Congress. Abraham Lincoln once said, ''Die when I may. Let it be said by those who know me best that I always picked a thistle and planted a flower where I thought a flower would grow.''

Let me talk for a minute about thistles and flowers. There is apparently a 4,000 page bill lying in state—Lord knows in what room; I guess it's over here in 224. I heard the previous speaker from Minnesota say it was 40 pounds. I expect that is a guess because he probably didn't weigh it. I guess that the Presiding Officer, the Senator from Minnesota, and most other Senators here have not read it. It is a process that results in a lot of concern here in the Congress. There are 4,000 pages on display.

The whole country is moving toward miniaturization and we are going in exactly the opposite direction. On the final day of the legislative session, we are going to have a 4,000-page bill—a third of the Federal budget—presented in the Senate, and we are told to vote up or down on this. ''We assume you have read it, even though we know you just got back into town.''

Let me talk about a thistle for just a minute. In this piece of legislation is a provision called section 1005 of the Revenues and Medicare part of the Omnibus Bill, which contains the so-called Subpart F Active Financing Provisions. Now, there might be a couple of Americans who are intimately familiar with Subpart F of the Tax Code and its Active Financing Provisions—but not many. These provisions were added at a time when I spent a lot of time on this floor trying to get some money for the construction of Indian schools, for the Ojibwa School that is falling apart. Kids are walking between trailers in the winter with howling winds blowing and are going back and forth to trailers. These are conditions that every study says are unsafe, but you can't get money to improve these conditions; there's not enough money. Or the Cannonball School, where a little girl named Rosie said to me, ''Mr. Senator, will you buy us a new school?'' There are 150 kids there, and there's only one water fountain and two bathrooms. One of the rooms those kids study music in stinks of sewer gas once or twice a week and they have to vacate the room. Half of the school has been condemned. But there's no money for that little girl and her classmates. We just can't afford it.

But let me tell you what we could afford. Stuck somewhere in the 4,000 pages, deep in the bowels of that carcass, are lucrative Subpart F Active Financing Provisions. This means $495 million of revenue loss to our Government, and an enormous tax windfall to a select group of large multinational financial service businesses. It says to them, in effect, that we provide an incentive in our Tax Code for them to take their businesses—and the jobs they provide—overseas. This bill not only extends this misguided incentive for one additional year at a cost of $260 million; it also makes matters worse by expanding it by another $235 million, despite strong opposition from the Treasury Department. It is now a $495 million gift to say to the financial services industry of this country: Move overseas, hire foreign workers, take your business and jobs elsewhere and we will give you a large tax cut for doing it. What a terrible thing to do, at a time when we don't have money to do the important things here. We are told, gee, there is plenty of money for somebody to slip somewhere in the middle of those 4,000 pages for a special little deal for some very big taxpayers who want to do business elsewhere and get paid for it. Bob Wills of the Texas Playboys talked about this in the 1930s: ''The little bee sucks the blossom and the big bee gets the honey; the little guy picks the cotton and the big guy gets the money.''

Why is it that every time you turn around here and reach into 4,000 pages, you find something like this? This is just one example. You talk about absurdity at a time when we're told that our priorities aren't affordable. You can't invest in the Cannonball or Ojibwa School; there's not enough money. But there is plenty of money for the big shots.

Let me talk for just a minute about how we got to this point. The Senator from Idaho talked about it at some length. While I disagree with some of his conclusions, I think most people would view this process—coming to the end stage of this Congress with 4,000 pages to be voted on in one vote, with a third of the Federal budget appropriated in one large piece of legislation—as a terrible legislative practice. Does anybody think that makes sense? Instead of passing the bills as they should be passed by Congress, where they can be debated and amended, you put them all in a big package at the end so that you just have one vote. It is just a lot more convenient. That way you don't have to amend and debate all these things.

Does anybody think that is a good idea? I don't. I think it is a terrible idea. How did this start? On April 15, the law requires that Congress pass a budget. That is what the law requires. It says Congress must pass a budget. This Congress said, no, we have decided not to pass a budget. We have a bunch of folks that are feuding, so we will decide not to pass a budget at all. Then they decided that because we can't agree on a budget, we just won't pass all of our appropriations bills. So they stagger to the end of the 105th Congress, having no budget, few completed appropriations bills, and they create this 4,000-page mountain. Then you have a bunch of folks who say: If there is going to be a pile here, let me stick something in the pile. So the pile grows.

And here we are. I don't happen to think that this is just one party's fault. I agree with the Senator from Idaho on that point, although I reject his implication that somehow the Democratic Members were hindering the business of the Senate and therefore, cloture motions had to be filed. That is not true at all.

In fact, I can tell you example after example after example when a bill is brought to the floor, and before there is any debate—and certainly before there are any amendments—cloture motions are filed at the desk to say, ''No, we haven't had any amendments yet, but we want to foreclose amendments; we want to shut off debate.''

What kind of practice is that? That doesn't make any sense. That is impeding work of the Senate. That is saying we want to have a legislative body in which there is supposed to be debate, and we want to cut off debate. We don't want debate. We don't want you to offer your amendments. We think our legislation is so good that no one can improve it, and, by the way, you have no right to offer amendments. That is what these cloture motions are about.

With respect to the question of where we are and the balanced budget that was mentioned by one of the previous speakers, there is no question that both parties contributed to a better fiscal policy. But it started in 1993 with a piece of legislation proposed by this President that was unpopular. I voted for it. The easiest thing would have been to vote no. It passed by one vote here in the Senate and one vote in the House and became law. It began the long trail towards stable fiscal policy and getting rid of the Federal budget deficit.

When we cast that vote, the expectation that year was a $290 billion Federal budget deficit; completely out of balance. We were told by some on the other side of the aisle, if you do this, you are going to wreck this country's economy; if you do this, you are going to throw this country into a recession; if you do this, you will kill jobs. You will throw this country into a depression, we were told. Well, we did it, because the American people understood the fiscal policy we were on. They understood that the road we were traveling was destructive to this country's

interest. They wanted us to make the tough choices. And we did.

Guess what? We have wrestled that budget deficit to the ground. We now have a budget that is very close to being in balance. We now have an economy that is growing. Inflation is almost gone. Home ownership is the highest in 30 years. Unemployment is down, down—way down. Things are better in this country.

Starting in 1993, when the American people saw that Congress was willing to make tough choices, we did it alone. There was not one vote from the other side of the aisle. But I will say this: The Republican Party has helped after that 1993 vote. They also provided some assistance with a fiscal policy that is better for this country, and we ought to have more of that. We ought to have more bipartisanship and more cooperation to do the right things for this country's future.

The difference is, it seems to me, that a product of debate ought not be about aggregate fiscal policy, but rather about priorities. What represents the priorities for our country's future? What should we do that is important?

Again, I think where I would disagree with some previous speakers is that doing nothing ought not be a badge of honor when the agenda of this country cries out to do something to address critical needs. We should have done something on managed care reform. We should have said to HMOs in this country, you must tell patients all of their medical options for treatment—not just the cheapest. You must do that. You must provide reimbursement for emergency care when someone shows up at an emergency room.

I told the story—there are stories that go on forever—of a woman who broke her neck, comes to an emergency room unconscious, and is told later, ''We will not reimburse you for the emergency room stay because you didn't have prior approval.''

Those are the kinds of things that have been going on in managed care in the name of saving money, but actually degrade and diminish health care standards. This Congress certainly should have addressed this issue. Doing nothing is not a badge of honor on this issue of managed care reform.

Certainly, it is not a badge of honor that we weren't able to pass FAA reform. We should have done that. That piece of legislation included an amendment of mine that would have substantially changed the way the major airlines have to connect with regional jet carriers. And we would have more regional jet carriers in this country, more competition and lower prices for airfares had we passed that piece of legislation. I regret that it was not done.

Let me also mention the issue of family farmers and the farm crisis in our part of the country. I know there is a difference of philosophy about this. But there ought not be.

If this country wants family farmers in its future, it ought to decide that when prices collapse it is going to have to help build a bridge across those price valleys, because, if not, the family farmers won't get across the valley. They will just wash out and be gone. And we will have corporate farmers farming America from the west coast to the east coast, and we will still have crops growing. There will just be no people living out on the land. And this country will have lost something important.

We did something at the end of this session. We reached some bipartisan agreement on an emergency package. But it wasn't enough. It was nearly $2 billion short of what the President requested, nearly $3 billion short of what the commissioners of agriculture and the Farm Belt said was necessary to address this farm crisis. We will be right back in this set of circumstances in January, February and March as farmers begin to consider spring planting.

With respect to the agriculture package, we did get nearly $1 3/4 billion more because we fought and because we did accept the admonition of some to take what they are willing to give you and quit. There was $100 million more for the family farmers of my State. Is that important? Yes. Some will survive. Some who would not have survived without it will survive to be able to continue farming in the future.

I have mentioned a couple of times the letter from a young boy named Wyatt in North Dakota, a sophomore in high school, the son of a family farmer who wrote to me, and said, ''Mr. Senator, my dad can feed 180 people, and he can't feed his family.'' This young boy wanted to know what kind of a system allows that to happen. This country needs to do better by family farmers.

I was impressed that we could work together on a bipartisan basis toward the end of this session. I hope we can do the same at the start of the next session to address many of these issues.

Let me complete my comments.

There are so many issues in this omnibus appropriations bill. One of them is an issue that I have worked on with the Senator from Alaska, Senator STEVENS, and Senator BYRD, that will create a trade deficit review commission. The reason I mention this is because today the new trade deficit numbers were released for this month. It shows a $2 billion increase, the largest trade deficit in the history of this country, the largest trade deficit in the history of human kind. We have wrestled the fiscal policy budget deficit to the ground, and our trade deficit is swelling and growing, and we need to do something about it. This omnibus package will include a requirement that a trade deficit review commission be established, and that recommendations will be made to Congress on how to deal with those issues. I hope the Congress will be able to take some steps early in the next session of Congress to respond to that issue.

Mr. President, let me conclude by saying that I hope we will never again be confronted with this circumstance at the end of a Congress. I understand that at the end of Congress there is wrap-up. Sometimes a bill or two doesn't get passed. Sometimes you wrap one or two bills into a package. But this is not a good way to legislate.

It is, in my judgment, subverting the legislative process—the regular order of bringing bills to the floor so we have open debate and amendments, when at the end all of these things are put into one large package, and we are told to just read it, think about it, and then vote on it.

I don't think that is the best that this Congress can offer the American people. I hope this will be the last chapter of this kind of congressional action, or lack of it.

Mr. President, finally, the chairman of the full Appropriations Committee is on the floor. I thank him for his work.

I have not been complimentary of the process, but I know Senator STEVENS and Senator BYRD and their staffs, and many others, have spent an enormous amount of time trying to put this package together simply because the Congress did not get its work done during the year. I compliment them for their work to try to do that. I know, especially from a staff standpoint, what kind of effort and time was required to get this to this point.

Mr. President, I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator for his comments concerning Senator BYRD and myself. I do want to emphasize just a few things as we close.

In this year, the Appropriations Committee has tried very hard to move forward as quickly as possible to get bills before the Senate as early as possible so that this would not happen.

I wish to place in the RECORD a status of appropriations bills in the second session of this 105th Congress. It shows, and I have circled—and I hope in the RECORD they will highlight those dates circled—the days that the Appropriations Committee first brought to the Senate's attention its work product of the 13 subcommittees that deal with appropriations measures. They were all in June and July, with the exception of one bill, Labor, Health and Human Services, which was brought first to the Senate's attention on September 1 when we held the full committee meeting and reported the bill to the Senate on September 3. This was because of the illness of one of our colleagues. But all of these bills were available for the Senate to act on and for the Congress to act on very early.

This also shows the action by the House committee under Chairman LIVINGSTON—probably one of the earliest periods in history when all of the bills were completed, except one to bring before the House, and the delay has not

been the delay of the appropriations process; but it has been caused by the process of handling those bills once they were reported to the House and Senate.

I decry the process also, as so many people have here today, but I am not ashamed of the work product. I have signed my name to the work product, as Chairman LIVINGSTON has, and a majority of both of our committees has endorsed these bills to be reported to the House and Senate.

We are still the largest military power in the world, the last superpower in the world. We have added $7.5 billion so the men and women who serve us in uniform can be fully equipped, they can be assured we are trying to get them the best systems available, and we are doing our best to restore the lifestyle we believe a person should be able to lead in the uniform of the U.S. military.

We have not been able to handle one basic problem, and that is the problem over the pension system. I hope that the Armed Services Committee early next year will address that problem and that we can present in the first bills brought out to the floor by the Appropriations Committees money to fund the restoration of a pension system that is adequate and is an incentive to people to stay in uniform and particularly to use the skills they have developed as members of the armed services in our defense.

Mr. President, this is a good bill. I know a lot of people are going to vote against it for one reason or another, but I hope that the public understands, while this is the largest bill to ever be presented, it is large because it contains eight separate bills plus three supplemental appropriations bills. It contains really 11 appropriations bills. The total adds up to almost $1/2 trillion. It is large in the sense of spending, but we do spend a lot of money as a large Government, and we have kept these bills to the minimum in terms of the appropriations process. These negotiations that we have been talking about added $20 billion to that total—plus $20 billion.

I do believe that the bill is a good one, and I urge our colleagues tomorrow to vote for it.

I ask unanimous consent that the ''Status of Appropriations'' be printed in the RECORD.

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

STATUS OF APPROPRIATIONS MEASURES, SECOND SESSION, ONE HUNDRED FIFTH CONGRESS

[As of October 17, 1998]

Measure of subcommittee	Bill and report(s)	Report filed	House			Senate			Conference report	Law approved	Public Law
			Subcommittee	Full committee	Floor	Subcommittee	Full committee	Floor			
Veto override of a bill disapproving the military construction cancellations.	H.R. 2631[1]				Feb 5			Feb 25			105–159
1998 supplemental emergency appropriations.	H.R. 3579			Mar 24	Mar 31			Mar 31[2]	Apr 30	May 1	105–174
	H. Rpt. 105–469	Mar 27							H: Apr 30		
									S: Apr 30		
1998 supplemental appropriations.	H.R. 3580			Mar 24							
	H. Rpt. 105–470	Mar 27									
1998 supplemental appropriations for natural disasters and peacekeeping..	S. 1768						Mar 17	(3)			
	S. Rpt. 105–168	Mar 17									
1998 International Monetary Fund	S. 1769						Mar 17	(4)			
	S. Rpt. 105–169	Mar 17									
Agriculture and Rural Development 1999.	S. 2159					**Jun 9**	Jun 11				
	S. Rpt. 105–212	Jun 11									
	H.R. 4101		Jun 10	Jun 16	Jun 24			Jul 16[5]	Oct 2	Vetoed[6]	
	H. Rpt. 105–588	Jun 19							H: Oct 2	Oct 8	
	H. Rpt. 105–763	Oct 2							S: Oct 6		
Commerce, Justice, State, and Judiciary 1999.	S. 2260					**Jun 23**	Jun 25	Jul 23			
	S. Rpt. 105–235	Jul 2									
	H.R. 4276		Jun 24	Jul 15	Aug 6			Aug 31[7]			
	H. Rpt. 105–636	Jul 20									
Defense 1999	S. 2132					**Jun 2**	Jun 4				
	S. Rpt. 105–200	Jun 4									
	H.R. 4103		Jun 5	Jun 17	Jun 24			Jul 30[8]	Sep 23	Oct 17	.....
	H. Rpt. 105–591	Jun 22								H: Sep 28	.....
	H. Rpt. 105–746	Sep 25							S: Sep 29		
District of Columbia 1999.	S. 2333						**Jul 21**				
	S. Rpt. 105–254	Jul 21									
	H.R. 4380		Jul 24	Jul 30	Aug 7						
	H. Rpt. 105–670	Aug 3									
Energy and Water Development 1999	S. 2138					**Jun 2**	Jun 4	Jun 18			
	S. Rpt. 105–206	Jun 5									
	H.R. 4060		Jun 10	Jun 16	Jun 22			Jun 23[9]	Sep 24	Oct 7	105–245
	H. Rpt. 105–581	Jun 16							H: Sep 28		
	H. Rpt. 105–749	Sep 25							S: Sep 29		
Foreign Operations 1999	S. 2334						**Jul 21**	Sep 2			
	S. Rpt. 105–255	Jul 21									
	H.R. 4569		Jul 15	Sep 10	Sep 17						
	H. Rpt. 105–719	Sep 15									
Interior 1999	S. 2237					**Jun 23**	Jun 25				
	S. Rpt. 105–227	Jun 26									
	H.R. 4193		Jun 18	Jun 25	Jul 23						
	H. Rpt. 105–609	Jul 8									
Labor, HHS, Education 1999	S. 2440					**Sep 1**	Sep 3				
	S. Rpt. 105–300	Sep 8									
	H.R. 4274		Jun 23	Jul 14							
	H. Rpt. 105–635	Jul 20									
Legislative Branch 1999	S. 2137						**Jun 4**				
	S. Rpt. 105–204	Jun 5									
	H.R. 4112		Jun 10	Jun 18	Jun 25			Jul 21	Sep 18		
	H. Rpt. 105–595	Jun 23							H: Sep 24		
	H. Rpt. 105–734	Sep 22							S: Sep 25		
Military Construction 1999	S. 2160						**Jun 11**				
	S. Rpt. 105–213	Jun 11									
	H.R. 4059		Jun 10	Jun 16	Jun 22			Jun 25[10]	Jul 23	Sep 20	105–237
	H. Rpt. 105–578	Jun 16							H: Jul 29		
	H. Rpt. 105–647	Jul 24							S: Sep 1		
Transportation 1999	S. 2307					**Jul 8**	Jul 14	Jul 24			
	S. Rpt. 105–249	Jul 15									
	H.R. 4328		Jul 16	Jul 22	Jul 30			Jul 30[11]			
	H. Rpt. 105–648	Jul 24									
Treasury and General Government 1999	S. 2312						**Jul 14**				
	S. Rpt. 105–251	Jul 15									
	H.R. 4104		Jun 11	Jun 17	Jul 16			Sep 3[12]	Oct 1		
	H. Rpt. 105–592	Jun 22							(13)		
	H. Rpt. 105–760	Oct 1							Oct. 7		
	H. Rpt. 105–789	Oct 7							H: Oct 7		
VA, HUD, and Independent Agencies 1999	S. 2168					**Jun 9**	Jun 11	Jul 17			
	S. Rpt. 105–216	Jun 12									
	H.R. 4194		Jun 18	Jun 25	Jul 29			Jul 30[14]	Oct 1		
	H. Rpt. 105–610	Jul 8							H: Oct 6		
	H. Rpt. 105–769	Oct 5							S: Oct 8		
Continuing Resolution 1999 (to October 9)	H.J. Res. 128				Sep 17			Sep 17	(15)	Sep 25	105–240
Further Continuing Resolution (to October 12).	H.J. Res. 133				Oct 9			Oct 9	(15)	Oct 9	105–249

STATUS OF APPROPRIATIONS MEASURES, SECOND SESSION, ONE HUNDRED FIFTH CONGRESS—Continued

[As of October 17, 1998]

Measure of subcommittee	Bill and report(s)	Report filed	House			Senate			Conference report	Law approved	Public Law
			Subcommittee	Full committee	Floor	Subcommittee	Full committee	Floor			
Further Continuing Resolution (to October 14).	H.J. Res. 134				Oct 12			Oct 12	(15)	Oct 12	105–254
Further Continuing Resolution (to October 16).	H.J. Res. 135				Oct 14			Oct 14	(15)	Oct 14	105–257
Further Continuing Resolution (to October 20).	H.J. Res. 136				Oct 16			Oct 16	(15)	Oct 16	105–
Fiscal year 1998 revised 302(b)	S. Rpt. 105–271	Jul 28									
Fiscal year 1999 302(b)	S. Rpt. 105–191	May 14									
Fiscal year 1999 latest 302(b)	S. Rpt. 105–382	Oct 8									

[1] H.R. 2631 was vetoed on November 13, 1997.
[2] Senate passed H.R. 3579 after substituting the text of S. 1768 as read a third time on March 26.
[3] On March 26, S. 1768 read a third time, text was subsequently incorporated in H.R. 3579.
[4] Substance of S. 1769, as reported, was incorporated in modified form in S. 1768. On March 26, a unanimous consent agreement was entered that when the Senate receives the House companion measure making supplemental appropriations for the International Monetary Fund (IMF), that all after the enacting clause be stricken and the text of the IMF title of S. 1768 be substituted and the bill pass.
[5] Senate passed H.R. 4101 after substituting the text of S. 2159 as read a third time on July 16.
[6] Veto message (H. Doc. 105–321) referred to House Committee on Appropriations on October 8.
[7] Senate passed H.R. 4276 after substituting the text of S. 2260 as passed.
[8] Senate passed H.R. 4103 after substituting the text of S. 2132 as read a third time on July 30.
[9] Senate passed H.R. 4060 after substituting the text of S. 2138 as passed.
[10] Senate passed H.R. 4059 after substituting the text of S. 2160 as read a third time on June 25.
[11] Senate passed H.R. 4328 after substituting the text of S. 2307 as passed.
[12] Senate passed H.R. 4104 after substituting the text of S. 2312 as read a third time on September 3.
[13] House recommitted conference report on October 5.
[14] Senate passed H.R. 4194 after substituting the text of S. 2138 as passed.
[15] Passed Senate without amendment.

Mr. STEVENS. I ask unanimous consent it be in order to ask for the yeas and nays.

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

Mr. STEVENS. I ask for the yeas and nays on this bill.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I yield back the remainder of the time that has been allocated to the Senator from West Virginia and myself.

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

Mr. STEVENS. Mr. President, that closes debate on this bill.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

REPORT CONCERNING THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 164

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on October 19, 1998, during the recess of the Senate, received the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect for 1 year beyond October 21, 1998.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property subject to the jurisdiction of the United States and by depriving them of access to the United States market and financial system.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1998.*

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on October 16, 1998, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 136. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 1773. An act to amend the Food Stamp Act of 1977 to require food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals, to require the Secretary of Agriculture to conduct a study of options for the design, development, implementation, and operation of a national database to track participation in federal means-tested public assistance programs, and for other purposes.

S. 2241. An act to provide for the acquisition of lands formerly occupied by the Franklin D.Roosevelt family at Hyde Park, New York, and for other purposes.

S. 2272. An act to amend the boundaries of Grant-Kohrs Ranch National Historic Site in the State of Montana.

The message further announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 83. Concurrent resolution remembering the life of George Washington and his contributions to the Nation.

S. Con. Res. 120. Concurrent resolution to redesignate the United States Capitol Police headquarters building located at 119 D Street, Northeast, Washington, D.C., as the ''Eney, Chestnut, Gibson, Memorial Building.''

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 700) to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians.

The message further announced that pursuant to the provisions of section 168(b) of Public Law 102–138 and clause 8 of rule I, the Speaker appoints the following Members of the House to the British-American Interparliamentary Group: Mr. BEREUTER, Mr. REGULA, Mr. BOEHLERT, Mr. BATEMAN, Mr. GILLMOR, Mrs. ROUKEMA, Mr. BALLENGER, Mr. BLUNT, Mr. SISISKY, Mr. PICKETT, Mr. WISE, and Mr. TANNER.

The message also announced that the House has agreed to the resolution (H.

Res. 601) that the bill of the Senate (S. 361) entitled the ''Rhinoceros and Tiger Conservation Act of 1998,'' in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled bills and enrolled joint resolution:

H.R. 2431. An act to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted in foreign countries on account of religion; to authorize United States actions in response to violations of religious freedom in foreign countries; to establish an Ambassador at Large for International Religious Freedom within the Department of State, a Commission on International Religious Freedom, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 1976. An act to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

S. 1892. An act to provide that a person closely related to a judge of a court exercising judicial power under article III of the United States Constitution (other than the Supreme Court) may not be appointed as a judge of the same court, and for other purposes.

H.J. Res. 136. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills and joint resolution were signed subsequently on October 16, 1998, during the recess of the Senate, by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE

At 10:01 a.m., a message from the House of Representatives, delivered by Mr. Keleher, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1467. An act to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest.

H.R. 3972. An act to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the Outer Continental Shelf.

H.R. 4572. An act to classify that governmental pension plans of the possessions of the United States shall be treated in the same manner as State pension plans for purposes of the limitation on the State income taxation of pension income.

H.R. 4821. An act to extend into fiscal year 1999 the visa processing period for diversity applicants whose visa processing was suspended during fiscal year 1998 due to embassy bombings.

H.R. 4829. An act to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center, and for other purposes.

H.R. 4831. An act to temporarily reenact chapter 12 of title 11 of the United States Code.

H.J. Res. 137. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 351. Concurrent resolution directing the Clerk of the House of Representatives to make a technical correction in the enrollment of the bill H.R. 3910.

H. Con. Res. 352. Concurrent resolution directing the Clerk of the House of Representatives to make technical corrections in the enrollment of a bill.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 1197) to amend title 35, United States Code, to protect patent owners against the unauthorized sale of plant parts taken from plants illegally reproduced, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 1756) to amend chapter 53 of title 31, United States Code, to require the development and implementation by the Secretary of the Treasury of a national money laundering and related financial crimes strategy to combat money laundering and related financial crimes, and for other purposes.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

H.R. 2204. An act to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes, with an amendment.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 137. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

The enrolled joint resolution was signed subsequently by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on October 20, 1998, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

H.R. 624. An act to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce.

H.R. 678. An act to require the Secretary of the Treasury to mint coins in commemoration of Thomas Alva Edison and the 125th anniversary of Edison's invention of the light bulb, and for other purposes.

H.R. 700. An act to remove the restriction on the distribution of certain revenue from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians.

H.R. 1197. An act to amend title 35, United States Code, to protect patent owners against the unauthorized sale of plant parts taken from plants illegally reproduced, and for other purposes.

H.R. 1274. An act to authorize appropriations for the National Institutes of Standards and Technology for fiscal years 1998 and 1999, and for other purposes.

H.R. 1702. An act to encourage the development of a commercial space industry in the United States and for other purposes.

H.R. 1756. An act to amend chapter 53 of title 31, United States Code, to require the development and implementation by the Secretary of the Treasury of a national money laundering and related financial crimes strategy to combat money laundering and related financial crimes, and for other purposes.

H.R. 1853. An act to amend the Carl D. Perkins Vocational and Applied Technology Education Act.

H.R. 2000. An act to amend the Alaska Native Claims Settlement Act to make certain clarifications to the land bank protection provisions, and for other purposes.

H.R. 2186. An act to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

H.R. 2281. An act to amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty, and for other purposes.

H.R. 2370. An act to amend the Organic Act to Guam to clarify local executive and legislative provisions in such act, and for other purposes.

H.R. 2327. An act to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors who are 17 years of age and who engage in the operation of automobiles and trucks.

H.R. 2616. An act to amend title VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools.

H.R. 2675. An act to provide for the Office of Personnel Management to conduct a study and submit a report to Congress on the provision of certain options for universal life insurance coverage and additional death and dismemberment insurance under chapter 87 of title 5, United States Code, to improve the administration of such chapter, and for other purposes.

H.R. 2795. An act to extend certain contracts between the Bureau of Reclamation and irrigation contracts in Wyoming and Nebraska that receive water from Glendo Reservoir.

H.R. 2807. An act to clarify restrictions under the Migratory Bird Treaty Act on baiting and to facilitate acquisition of migratory bird habitat, and for other purposes.

H.R. 3055. An act to deem the activities of the Miccosukee Tribe on the Miccosukee Reserved Area to be consistent with the purposes of the Everglades National Park, and for other purposes.

H.R. 3069. An act to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on

the implementation of the proposals and recommendations of the Advisory Council.

H.R. 3332. An act to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the President's Information Technology Advisory Committee to monitor and give advise concerning the development and implementation of the Next Generation Internet program and to report to the President and the Congress on its activities, and for other purposes.

H.R. 3494. An act to amend title 18, United States Code, to protect children from sexual abuse and exploitation, and for other purposes.

H.R. 3528. An act to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United States district courts, and for other purposes.

H.R. 3687. An act to authorize repayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

H.R. 3830. An act to provide for the exchange of certain lands within the State of Utah.

H.R. 3874. An act to amend the National School Lunch Act and Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve management, to extend certain authorities contained in those Acts through fiscal year 2003, and for other purposes.

H.R. 3903. An act to provide for an exchange of lands near Gustavus, Alaska, and for other purposes.

H.R. 4079. An act to authorize the construction of temperature control devices at Folsom Dam in California.

H.R. 4151. An act to amend chapter 47 and title 18, United States Code, relating to identity fraud, and for other purposes.

H.R. 4166. An act to amend the Idaho Admission Act regarding the sale or lease of school land.

H.R. 4259. An act to allow Haskell Indian Nations University and the Southwestern Indian Polytechnic Institute each to conduct a demonstration project to test the feasibility and desirability of new personnel management policies and procedures, and for other purposes.

H.R. 4293. An Act to establish a cultural training program for disadvantaged individuals to assist the Irish peace process.

H.R. 4309. An act to provide a comprehensive program of support for victims of torture.

H.R. 4326. An act to transfer administrative jurisdiction over certain Federal lands located within or adjacent to the Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal lands in Oregon.

H.R. 4337. An act to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to eradicate or control nutria and restore marshland damaged by nutria.

H.R. 4558. An act to make technical amendments to clarify the provision of benefits for noncitizens, and to improve the provision of unemployment insurance, child support, and supplemental security income benefits.

H.R. 4566. An act to make technical corrections to the National Capital Revitalization and Self-Government Improvement Act of 1997 with respect to the courts and court system of the District of Columbia.

H.R. 4655. An act to establish a program to support a transition to democracy in Iraq.

H.R. 4660. An act to amend the State Department Basic Authorities Act of 1956 to provide rewards for information leading to the arrest or conviction of any individual for the commission of an act, or conspiracy to act, of international terrorism, narcotics related offenses, or for violations of international humanitarian law relating to the Former Yugoslavia, and for other purposes.

H.R. 4679. An act to amend the Federal Food, Drug, and Cosmetic Act to clarify the circumstance in which a substance is considered to be a pesticide chemical for purposes of such Act, and for other purposes.

S. 231. An act to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes.

S. 890. An act to dispose of certain Federal properties located in Dutch John, Utah, to assist the local government in the interim delivery of basic services to the Dutch John community, and for other purposes.

S. 1021. An act to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes.

S. 1298. An act to designate a Federal building located in Florence, Alabama, as the ''Justice John McKinley Federal Building.''

S. 1333. An act to amend the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges.

S. 2094. An act to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively use the proceeds of sales of certain items.

S. 2106. An act to expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, and for other purposes.

S. 2193. An act to implement the provisions of the Trademark Law Treaty.

S. 2232. An act to establish the Little Rock Central High School National Historic Site in the State of Arkansas, and for other purposes.

S. 2240. An act to establish the Adams National Historical Park in the Commonwealth of Massachusetts, and for other purposes.

S. 2246. An act to amend the act which established the Frederick Law Olmsted National Historic Site, in the Commonwealth of Massachusetts, by modifying the boundary and for other purposes.

S. 2285. An act to establish a commission, in honor of the 150th Anniversary of the Seneca Falls Convention, to further protect sites of importance in the historic efforts to secure equal rights for women.

S. 2413. An act prohibiting the conveyance of Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona unless the conveyance is made top the town of Pinetop-Lakeside or is authorized by act of Congress.

S. 2427. An act to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

S. 2468. An act to designate the Biscayne National Park visitor center as the Dante Fascell Visitor Center.

S. 2505. An act to direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho.

S. 2561. An act to amend the Fair Credit Reporting Act with respect to furnishing and using consumer reports for employment purposes.

S.J. Res. 51. Joint resolution granting the consent of Congress to the Potomac Highlands Airport Authority Compact entered into between the States of Maryland and West Virginia.

S.J. Res. 58. Joint resolution recognizing the accomplishments of Inspector General since their creation in 1978 in preventing and detecting waste, fraud, abuse, and mismanagement, and in promoting economy, efficiency, and effectiveness in the Federal Government.

Under the authority of the order of the Senate of January 7, 1997, the enrolled bills and joint resolutions were signed subsequently on October 20, 1998, during the recess of the Senate, by the President pro tempore (Mr. THURMOND).

ENROLLED BILLS PRESENTED ON OCTOBER 16, 1998

The Secretary of the Senate reported that on October 16, 1998, he had presented to the President of the United States, the following enrolled bills:

S. 1892. An act to provide that a person closely related to a judge of court exercising judicial power under article III of the United States Constitution (other than the Supreme Court) may not be appointed as a judge of the same court, and for other purposes.

S. 1976. An act to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problems, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

ENROLLED BILLS PRESENTED ON OCTOBER 20, 1998

The Secretary of the Senate reported that on October 20, 1998, he had presented to the President of the United States, the following enrolled bills:

S. 231. An act to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes.

S. 890. An act to dispose of certain Federal properties located in Dutch John, Utah, to assist the local government in the interim delivery of basic services to the Dutch John community, and for other purposes.

S. 1021. An act to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes.

S. 1298. An act to designate a Federal building located in Florence, Alabama, as the ''Justice John McKinley Federal Building.''

S. 1333. An act to amend the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges.

S. 2094. An act to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively use the proceeds of sales of certain items.

S. 2106. An act to expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, and for other purposes.

S. 2193. An act to implement the provisions of the Trademark Law Treaty.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, which were referred as indicated:

EC–7536. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of five rules: ''Suspension of Community Eligibility'' (Docket FEMA–7696), ''List of Communities Eligible for the Sale of Flood Insurance'' (Docket FEMA–7695), ''Changes in Flood Elevation Determinations'' (2 rules), and ''Final Flood Elevation Determination'' received on October 15, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC–7537. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of a proposed refund of offshore lease revenues under the Outer Continental Shelf Lands Act; to the Committee on Energy and Natural Resources.

EC–7538. A communication from the President of the Inter-American Foundation, transmitting, pursuant to law, the Foundation's report under the Federal Managers' Financial Integrity Act and the Inspector General Act for fiscal year 1997; to the Committee on Governmental Affairs.

EC–7539. A communication from the Director of the United States Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program; Improving Carrier Performance; Conforming Changes'' (RIN3206–AI16) received on October 15, 1998; to the Committee on Governmental Affairs.

EC–7540. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Withdrawal of Final Rule'' (FRL6178–2) received on October 15, 1998; to the Committee on Environment and Public Works.

EC–7541. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Texas: Recodification of Regulations to Control Lead Emissions from Stationary Sources'' (FRL 6160–2) received on October 15, 1998; to the Committee on Environment and Public Works.

EC–7542. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lead; Fees for Accreditation of Training Programs and Certification of Lead-Based Paint Activities Contractors; Withdrawal of Final Rule'' (FRL 6040–1) received on October 15, 1998; to the Committee on Environment and Public Works.

EC–7543. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Model TBM 700 Airplanes'' (Docket 98–CE–58–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7544. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Meade, KS'' (Docket 98–ACE–43) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7545. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Ottumwa, IA'' (Docket 98–ACE–27) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7546. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Clinton, IA'' (Docket 98–ACE–26) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7547. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Denison, IA; Correction'' (Docket 98–ACE–29) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7548. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Twin Commander Aircraft Corporation 500, 680, 690, and 695 Series Airplanes'' (Docket 96–CE–54–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7549. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada PW100 Series Turboprop Engines'' (Docket 97–ANE–33–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7550. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments—No. 1894'' (Docket 29358) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7551. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments—No. 1893'' (Docket 29357) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7552. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dornier Model 328–100 Series Airplanes'' (Docket 98–NM–59–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7553. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped with Pratt and Whitney Model JT9D–70 Engines'' (Docket 97–NM–185–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7554. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes'' (Docket 98–NM–190–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7555. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes'' (Docket 98–CE–33–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7556. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes'' (Docket 98–CE–32–AD) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7557. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Abatement of State Waters for Private Aids to Navigation in Wisconsin and Alabama'' (RIN2115–AF50) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7558. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Elizabeth River, South Branch, Portsmouth-Chesapeake, Virginia'' (RIN2115–AE47) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7559. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Storrow Drive Connector Bridge (Central Artery Tunnel Project), Charles River, Boston, MA'' (RIN2115–AE97) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7560. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations: Port of Guanica, Puerto Rico'' (RIN2115–AA97) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7561. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Repeat Intoxicated Driver Laws'' (RIN2127–AH47) received on October 15, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7562. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation entitled ''The Rural Housing Enforcement Improvement Act''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7563. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Salary Offset'' (RIN1510–AA70) received on October 14, 1998; to the Committee on Governmental Affairs.

EC–7564. A communication from the Secretary of the Treasury, transmitting, a draft of proposed legislation regarding the treatment of bonds issued to finance electrical output facilities; to the Committee on Finance.

EC–7565. A communication from the Acting Assistant Secretary of Defense for Force Management Policy, transmitting, pursuant to law, the Department's interim report on the payment of claims to certain persons captured and interned by North Vietnam; to the Committee on Armed Services.

EC–7566. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Interim Procedures for Certain Health Care Workers'' (RIN1115–AE73) received on October 14, 1998; to the Committee on the Judiciary.

EC–7567. A communication from the Director of the Office of Regulatory Management

and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Florida'' (FRL6167–4) received on October 16, 1998; to the Committee on Environment and Public Works.

EC–7568. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated October 15, 1998; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, and to the Committee on Energy and Natural Resources.

EC–7569. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mexican Fruit Fly Regulations; Addition of Regulated Area'' (Docket 98–082–2) received on October 19, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7570. A communication from the Secretary of Defense, transmitting, notice of a routine military retirement; to the Committee on Armed Services.

EC–7571. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Administration's report entitled ''Management of the Supplemental Security Income Program: Today and in the Future''; to the Committee on Finance.

EC–7572. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, notice of a proposed license for the export of U2 Self-Propelled Howitzers to Singapore (DTC 130–98); to the Committee on Foreign Relations.

EC–7573. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Attorney General's reports to Congress on the Administration of the Foreign Agents Registration Act for calendar year 1997; to the Committee on Foreign Relations.

EC–7574. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Subtitle D Regulated Facilities; State Permit Program Determination of Adequacy; State Implementation Rule'' (FRL6178–8) received on October 19, 1998; to the Committee on Environment and Public Works.

EC–7575. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards Applicable to Owners and Operators of Closed and Closing Hazardous Waste Management Facilities; Post-Closure Permit Requirement; Closure'' (FRL6178–7) received on October 19, 1998; to the Committee on Environment and Public Works.

EC–7576. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule regarding dose limits for certain spent fuel storage installations (RIN3150–AF84) received on October 19, 1998; to the Committee on Environment and Public Works.

EC–7577. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Metric Conversion'' (RIN2127–AG55) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7578. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Two Harbors, MN'' (Docket 98–AGL–43) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7579. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Granite Falls, MN'' (Docket 98–AGL–46) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7580. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Orr, MN'' (Docket 98–AGL–47) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7581. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Menomonie, MN'' (Docket 98–AGL–45) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7582. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Park Falls, WI'' (Docket 98–AGL–44) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7583. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes'' (Docket 98–NM–74–AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7584. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Jetstream Model 3101 and 3201 Airplanes'' (Docket 98–CE–28–AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7585. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mooney Aircraft Corporation Model M20J, M20K, M20M, and M20R Airplanes'' (Docket 98–CE–47–AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7586. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bob Fields Aerocessories Inflatable Door Seals'' (Docket 98–CE–88–AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC–7587. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes'' (Docket 98–CE–63–AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

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. CAMPBELL:

S. 2641. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, relitigation of, precedents established in the Federal judicial courts; to the Committee on the Judiciary.

By Mr. ASHCROFT (for himself and Mr. DASCHLE):

S. 2642. A bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative; to the Committee on Finance.

By Mr. TORRICELLI:

S. 2643. A bill to provide increased funding to combat drug offenses, and for other purposes; to the Committee on the Judiciary.

S. 2644. A bill to amend the Internal Revenue Code of 1986 to exclude certain severance payment amounts from income; to the Committee on Finance.

By Mr. THOMAS:

S. 2645. A bill to create an official parliamentary station in the United States fully to participate in the Global Legal Information Network; to the Committee on Rules and Administration.

By Mr. McCAIN:

S. 2646. A bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 2647. A bill to provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. D'AMATO:

S. Res. 311. A resolution expressing the sense of the Senate that the Secretary of the Interior should the establishment of a memorial to Thomas Paine on the National Park Service property in Constitution Gardens within the 1700 block of Constitution Avenue, N.W., in the District of Columbia, and that the memorial should specifically include the structure known as the ''Canal House''; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI:

S. Con. Res. 129. A concurrent resolution to correct a technical error in the enrollment of H.R. 3910; considered and agreed to.

By Mr. REED:

S. Con. Res. 130. A concurrent resolution to correct the enrollment of H.R. 4328; to the Committee on Appropriations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CAMPBELL:

S. 2641. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in relitigation of precedents established in the Federal judicial courts; to the Committee on the Judiciary.

THE FEDERAL AGENCY COMPLIANCE ACT

Mr. CAMPBELL. Mr. President, today I introduce the Federal Agency

Compliance Act. This legislation is the redraft of prior legislation that I introduced, S. 1166, the Federal Agency Compliance Act, which was the subject of a hearing on June 15, 1998 before the Senate Judiciary Subcommittee on Administrative Oversight and the Courts, chaired by Senator GRASSLEY.

At the June 15 hearing, Lynn Conforti from Denver, CO, testified on behalf of the thousands of Social Security disability claimants, who are denied their claims not on the basis of Federal circuit court opinions but on the basis of agency policy that is contrary to Federal law. In November 1996, Ms. Conforti was forced to quit work because of severe pain due to failed surgery on her back to correct corvature of the spine, scoliosis. Until that time. Ms. Conforti had been employed her entire life since she was 19 years old and paid her FICA taxes into the Social Security Disability Program for 27 years. At the hearing, she described her 32-month struggle with the Social Security Administration that had twice denied her benefits, because they did not give due weight to the medical opinion of her treating physicians or the severity of her pain, contrary to Federal court decisions. Ms. Conforti described her physical ordeal, having two back surgeries, removing 10 discs, two sets of surgical rods and screws, 38 days in the hospital, 334 physical therapy visits, 128 physician visits, and 16 months of chronic pain. Despite her disability, Ms. Conforti hopes to be able to return to work in the future, but she needs the disability resources to continue rehabilitation efforts.

Finally, in July 1998, Ms. Conforti was awarded her disability benefits by an administrative law judge (ALJ) in an on-the-record determination. The ALJ, unlike lower level decision-makers at SSA, was able to apply Federal court decisions to her case. For this reason, the bill I am introducing today contains a provision included in a similar bill, H.R. 1544, that states that agency employees and ALJ's shall adhere to court of appeals precedent within the circuit, insuring that Ms. Conforti and thousands of other claimants will no longer be victims of agency intracircuit nonacquiescence with the passage of this legislation.

I want to thank my colleagues, Senator SESSIONS and Senator DURBIN, for their support for this important legislation and for their assistance in revising the legislation that I introduce today. Through the effort of Senator SESSIONS, the bill clarifies that adherence by agencies to court of appeals precedent shall be in civil cases and there is no prohibition on an agency relitigating a matter in more than three circuits if such relitigation is necessary. Also, Senator DURBIN clarified that certain agencies, such as the National Labor Relations Board [NLRB], are not bound by adherence to court of appeals precedent when it is not certain that the court of appeals that established the NLRB precedent has exclusive jurisdiction over the matter or by another circuit. Again, I want to thank my colleagues for these clariications and for their support of the bill I introduce today.

Intracircuit agency nonacquiescence to appellate precedent is not limited to the Social Security Administration, which was described at our hearing, but has been a long-term problem with all agencies and one that the Congress has struggled with since the early 1980's. Finally, we have a consensus on legislation that will solve this problem and return us to the rule of law that we expect and that citizens deserve. I ask my colleagues to support this legislation to ensure Federal agencies follow the law.

Mr. President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 2641

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

SECTION 1. PROHIBITING INTRACIRCUIT AGENCY NON-ACQUIESCENCE IN APPELLATE PRECEDENT.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Agency Compliance Act''.

(b) IN GENERAL.—Chapter 7 of title 5, United States Code, is amended by adding at the end the following:

''§ 707. Adherence to court of appeals precedent

''(a) Except as provided in subsection (b), an agency (as defined in section 701(b)(1) of this title) shall in civil cases, in administering a statute, rule, regulation, program, or policy within a judicial circuit, adhere to the existing precedent respecting the interpretation and application of such statute, rule, regulation, program, or policy, as established by the decisions of the United States court of appeals for that circuit. All officers and employees of an agency, including administrative law judges, shall adhere to such precedent.

''(b) An agency is not precluded under subsection (a) from taking a position, either in administrative or litigation, that is at variance with precedent established by a United States court of appeals if—

''(1) it is not certain whether the administration of the statute, rule, regulation, program, or policy will be subject to review exclusively by the court of appeals that established that precedent or a court of appeals for another circuit;

''(2) the Government did not seek further review of the case in which that precedent was first established, in that court of appeals or the United States Supreme Court, because—

''(A) neither the United States nor any agency or officer thereof was a party to the case; or

''(B) the decision establishing that precedent was otherwise substantially favorable to the Government; or

''(3) it is reasonable to question the continued validity of that precedent in light of a subsequent decision of that court of appeals or the United States Supreme Court, a subsequent change in any pertinent statute or regulation, or any other subsequent change in the public policy or circumstances on which that precedent was based.''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 7 of title 5, United States Code, is amended by adding at the end the following new item:

''707. Adherence to court of appeals precedent.''.

By Mr. THOMAS:

S. 2645. A bill to create an official parliamentary station in the United States fully to participate in the Global Legal Information Network; to the Committee on Rules and Administration.

GLOBAL LEGAL INFORMATION NETWORK PARTICIPATION ACT OF 1998

Mr. THOMAS. Mr. President, as the world is catapulted into the electronic information age, the United States has a rare opportunity not only to participate in a truly international legal database but also to sustain a leadership role in setting the highest standard for the creation and maintenance of such a database. It is also a fortuitous moment for the Congress to encourage and support an effort that will inure to the direct benefit of the Congress in its legislative functions by having access to foreign laws contemporaneously with or shortly after publication in the country of origin. This effort, conceived and developed by our own Law Library of Congress, is the Global Legal Information Network, popularly referred to as ''GLIN.''

GLIN is an international, cooperative, non-commercial database of legal information contributed to by governments of member nations in Africa, Asia, Europe, and the Americas. As a mission-driven project, GLIN was developed by the Law Library as a way to organize and gain access to legal information so that the Law Library could respond to requests from Congress in a timely, efficient manner since the Law Library is responsible for doing research and analysis on the laws of other nations, comparative law, and international law. This continues to be the goal of the Law Library's participation in GLIN.

The database comprises abstracts of legal material, full texts of laws and regulations, and a legal thesaurus. The GLIN database is structured so that the full range of legal material including constitutions, laws and regulations, judicial decisions, parliamentary debates, scholarly writings, and legal miscellanea can be added to the database over time as countries are able to make these contributions.

Since 1995, GLIN has become a truly ''global'' legal information network and the Law Library has trained technical and legal teams from numerous countries plus a team from the United Nations. These countries are at various stages of compliance with the GLIN standards for organizational, technical, and telecommunications capabilities.

GLIN is the centerpiece of the Law Library's transition from a paper-based library to one that effectively exploits the advantages of electronic sources of information. The amount of time and resources needed to acquire, process, and store foreign legal material make

GLIN a top priority for the Law Library, and as the United States station for the network it has also undertaken the task of putting United States law into the database using the same high standards demanded of other nations. To date, the Law Library has not received appropriated funds for work on GLIN.

What other Parliaments around the world are doing concerning many of the issues we face is vital for our legislative functions. A 1886 treaty, still in force today, recognized the important need for the exchange of official journals, parliamentary annals, and documents. Congress needs access to the most reliable, current legal information available. GLIN can provide this information, but only if it is developed and maintained properly. With limited resources, and using the only technology and technological support available from an already strapped technology support staff in the Library of Congress which is consumed by other Library programs, participation by the Law Library in GLIN is at a critical point. The system now requires urgent updating and upgrading to enhance the performance of the Network and to attract additional countries, particularly those that are of interest to Congress. To best serve Congress, it is essential that the Law Library retain a leadership role technologically and content-wise. To facilitate such participation, the Law Library needs a special appropriation to bolster its staff and technological infrastructure on its own without being dependent or in competition with other Library of Congress programs.

Besides affording the Law Library the ability to bolster resources to meet this important growing initiative, this special appropriation will permit the Law Library through development and training to fulfill its natural role as the largest law library in the world to set the highest of standards for the form and content of legal information to be exchanged between nations to ensure that such material is accurate and complete, and thereby totally reliable. It also fosters interparliamentary cooperation.

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. 2645

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

SECTION 1. SHORT TITLE.

The Act may cited as the ''Global Legal Information Network Participation Act of 1998.''

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATIONS OF PURPOSE.

The Congress makes the following findings and declarations:

(1) It is the policy of the United States to promote the reasonable, timely and authentic exchange of official legal information between parliaments of nations of the world as originally expressed in the 1886 Convention for the Immediate Exchange of the Official Journals, Parliamentary Annals, and Documents:

(2) participation by the United States in an international, cooperative, noncommercial legal database contributed to by governments of member nations, the ''Global Legal Information Network'' (GLIN), which would be available over the Internet, contributes to the promotion of security and international understanding through the exchange of legal information and promotes the rule of law, and therefore is in the interests of the United States;

(3) the timely and accurate availability of laws and regulations of the United States and other legislatures around the world is of the utmost importance to the Congress, both in its own work as well as in the interests of developing and nurturing interparliamentary cooperation; and

(4) the centralization of the function and control of participation by the United States in such an international legal database will assist in establishing uniformity for the electronic exchange and retrieval of legal information.

SEC. 3. THE UNITED STATES GLIN STATION.

In order to carry out the purposes of this Act,

(a) the United States station for the Global Legal Information Network shall be the Law Library of Congress in the Library of Congress;

(b) The Director of the United States GLIN station shall be the Law Librarian of Congress.

By Mr. MCCAIN:

S. 2646. A bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes; to the Committee on Energy and Natural Resources.

TO AUTHORIZE A DISABLED VETERANS MEMORIAL IN WASHINGTON, DC

Mr. MCCAIN. Mr. President, I rise to offer legislation to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial on Federal land in the District of Columbia to honor all disabled American veterans. This legislation is not controversial, costs nothing, and deserves immediate consideration and passage as the 105th Congress prepares to adjourn for the year.

As a nation, we owe a debt of gratitude to all Americans who have worn their country's uniform in the defense of her core ideals and interests. We honor their service with holidays, like Veterans Day and Memorial Day, and with memorials, including the Vietnam Wall and the Iwo Jima Memorial. But nowhere in Washington can be found a material tribute to those veterans whose physical or psychological health was forever lost to a sniper's bullet, a landmine, a mortar round, or the pure terror of modern warfare.

To these individuals we owe a measure of devotion not accorded those who served honorably but without permanent damage to limb or spirit. For these individuals, a memorial in Washington, DC, would stand as testament to the sum of their sacrifices, and as proof that the country they served values their contribution to its cause.

We cannot restore the health of those Americans who incurred a disability as a result of their military service. It is within our power, however, to authorize a memorial that would clearly signal the nation's gratitude to all whose disabilities serve as a living reminder of the toll war takes on its victims.

Under the terms of this legislation, the Disabled Veterans' LIFE Memorial Foundation would be solely responsible for raising the necessary funding. Our bill explicitly requires that no Federal funds be used to pay any expense for the memorial's establishment.

I urge my colleagues to join me and Senators CLELAND, COVERDELL, and KERREY in support of this legislation. America's disabled veterans, of whom Senator CLELAND himself is one of our most distinguished, deserve a lasting tribute to their sacrifice. They honored us with their service; let us honor them with our support today.

Mr. KERREY. Mr. President, I rise as a proud original cosponsor of legislation to establish a national Disabled Veterans Memorial here in Washington, DC.

I am honored to join my fellow colleagues, veterans and friends Senators MCCAIN and CLELAND in establishing a memorial to the brave men and women who have served our Nation with honor and dignity, but have paid a grave price.

I look forward to working with my colleagues in the Senate to establish and construct a memorial that is not only a tribute to our veterans, but will also serve the residents of the District as a place of civic and national pride.

I will insist on an open and fair process as we move forward, and will be diligent in representing the best interests of the veterans, the District, the Nation, and the American people.

By Mr. HATCH:

S. 2647. A bill to provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs; to the Committee on Labor and Human Resources.

DRUG DEMAND REDUCTION ACT

Mr. HATCH. Mr. President, I rise today to introduce the ''Drug Demand Reduction Act,'' a bill that improves demand reduction efforts by focusing on the anti-drug media campaign, drug-free jails, and drug-free schools. The bill also contains several congressional resolutions aimed at encouraging community involvement, rejecting efforts to legalize illegal drugs, and streamlining prevention and treatment programs.

This legislation is supported by General Barry McCaffrey, Director of the Office of National Drug Control Policy. The original companion bill was introduced in the House of Representatives by Congressman PORTMAN and Congressman BARRETT on September 16, 1998, and passed with overwhelming bipartisan support, 396–9. I commend

them for their leadership and thank them for their efforts.

As many of you know, I worked hand in hand with my colleagues in the House on this issue, I held hearings in the Senate Committee on the Judiciary concerning these issues, and more recently, I worked with the Leadership to include this bill into the legislative package of anti-drug bills that is being incorporated into the Omnibus Appropriations bill for Fiscal 1999. This bill represents a substantial step toward reducing the rates of drug abuse in our country.

According to the respected Monitoring the Future from 1991 to 1997, the lifetime use of marijuana—the gateway to harder drugs—has increased among school-age youth. The lifetime use of marijuana by 8th graders—that is those 8th graders who have ever used marijuana—increased by 122% from 1991 to 1997. For 10th graders, marijuana use increased by 81% and for 12th graders, 35%.

Cocaine use among our youth has also seen staggering increases. From 1991 to 1997, the lifetime use of cocaine increased by 91% for 8th graders. The lifetime use of cocaine by 10th graders increased by 73% during the same time period. The number of 8th graders who have used cocaine within the past year increased by 154% from 1991 to 1997.

Heroin use has also exploded since 1991. The reported lifetime use of heroin for both 8th and 10th graders increased by 75%. For 12th graders, heroin use increased by 133%. The number of 8th graders who have used heroin within the past year has increased by 86% from 1991 to 1997. For 10th and 12th graders, heroin use increased by 180% and 120%, respectively.

These figures are staggering when you consider that each percentage point represents thousands of teens who are much more likely to become bigger problems for society as they become adults.

The drug abuse situation in our country is an issue about which I care deeply. In June of this year, the Judiciary Committee held a hearing on the growing national crisis of drug abuse among our children. I think it is clear from all the available information and from the testimony heard at the hearing that youth drug abuse is not stable, but is instead rising sharply. Several of the witnesses who testified described how accessible drugs were to our young people.

For example, Chris who works as an undercover investigator in high schools in Dayton, Ohio, described to the Committee how easy it was to get drugs in today's high schools. ''Within the first investigation, I was approached within three weeks, by someone offering to sell to me. The second investigation, I was approached in a week-and-a-half by someone again wanting to sell to me. In high schools, you don't have to do a lot of seeking, you know. . . . Pretty much, they are going to come to you.''

What is the reason behind this surge in teen drug consumption? I believe several things. First, there has been a decline in anti-drug messages from elected leaders—like President Clinton and similar messages in homes, schools, and—until recently with the airing of anti-drug messages developed for the Youth Media Campaign—the media. Second, the debate over the legalization of marijuana and the glorification of drugs in popular culture has caused confusion in our young people. Third, disapproval of drugs and perception of risk has declined among young people. The percent of 8th, 10th and 12th graders who ''disapproved'' or ''strongly disapproved'' of use of various drugs declined steadily from 1991 to 1995. In 1992, 92% of 8th graders, 90% of 10th graders, and 89% of 12th graders disapproved of people who smoked marijuana regularly. By 1996, however, those figures had dropped significantly.

We must change tactics and find a way to do something to stop this epidemic from continuing and destroying the future of our children. This bill, which I expect will be enacted as part of the Omnibus Appropriation bill, will begin to address these problems and offer incentives to help schools, and communities to reinforce the message that drugs are dangerous. I urge all of my colleagues to support this bill. I ask consent that the bill be printed in the RECORD.

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

S. 2647

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Drug Demand Reduction Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TARGETED SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS

Subtitle A—National Youth Anti-Drug Media Campaign

Sec. 101. Short title.
Sec. 102. Requirement to conduct national media campaign.
Sec. 103. Use of funds.
Sec. 104. Reports to Congress.
Sec. 105. Authorization of appropriations.

Subtitle B—Drug-Free Prisons and Jails

Sec. 111. Short title.
Sec. 112. Purpose.
Sec. 113. Program authorization.
Sec. 114. Grant application.
Sec. 115. Uses of funds.
Sec. 116. Evaluation and recommendation report to Congress.
Sec. 117. Definitions.
Sec. 118. Authorization of appropriations.

Subtitle C—Drug-Free Schools Quality Assurance

Sec. 121. Short title.
Sec. 122. Amendment to Safe and Drug-Free Schools and Communities Act.

TITLE II—STATEMENT OF NATIONAL ANTIDRUG POLICY

Subtitle A—Congressional Leadership in Community Coalitions

Sec. 201. Sense of Congress.

Subtitle B—Rejection of Legalization of Drugs

Sec. 211. Sense of Congress.

Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts

Sec. 221. Report on streamlining Federal prevention and treatment efforts.

TITLE I—TARGETED SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS

Subtitle A—National Youth Anti-Drug Media Campaign

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Drug-Free Media Campaign Act of 1998''.

SEC. 102. REQUIREMENT TO CONDUCT NATIONAL MEDIA CAMPAIGN.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy (in this subtitle referred to as the ''Director'') shall conduct a national media campaign in accordance with this subtitle for the purpose of reducing and preventing drug abuse among young people in the United States.

(b) LOCAL TARGET REQUIREMENT.—The Director shall, to the maximum extent feasible, use amounts made available to carry out this subtitle under section 105 for media that focuses on, or includes specific information on, prevention or treatment resources for consumers within specific local areas.

SEC. 103. USE OF FUNDS.

(a) AUTHORIZED USES.—

(1) IN GENERAL.—Amounts made available to carry out this subtitle for the support of the national media campaign may only be used for—

(A) the purchase of media time and space;

(B) talent reuse payments;

(C) out-of-pocket advertising production costs;

(D) testing and evaluation of advertising;

(E) evaluation of the effectiveness of the media campaign;

(F) the negotiated fees for the winning bidder on request for proposals issued by the Office of National Drug Control Policy;

(G) partnerships with community, civic, and professional groups, and government organizations related to the media campaign; and

(H) entertainment industry collaborations to fashion antidrug messages in motion pictures, television programing, popular music, interactive (Internet and new) media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

(2) ADVERTISING.—In carrying out this subtitle, the Director shall devote sufficient funds to the advertising portion of the national media campaign to meet the stated reach and frequency goals of the campaign.

(b) PROHIBITIONS.—None of the amounts made available under section 105 may be obligated or expended—

(1) to supplant current antidrug community based coalitions;

(2) to supplant current pro bono public service time donated by national and local broadcasting networks;

(3) for partisan political purposes; or

(4) to fund media campaigns that feature any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations, unless the Director provides advance notice to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House of Representatives and the Committee on the Judiciary of the Senate.

(c) MATCHING REQUIREMENT.—Amounts made available under section 105 should be

matched by an equal amount of non-Federal funds for the national media campaign, or be matched with in-kind contributions to the campaign of the same value.

SEC. 104. REPORTS TO CONGRESS.

The Director shall—

(1) submit to Congress on an annual basis a report on the activities for which amounts made available under section 105 have been obligated during the preceding year, including information for each quarter of such year, and on the specific parameters of the national media campaign; and

(2) not later than 1 year after the date of enactment of this Act, submit to Congress a report on the effectiveness of the national media campaign based on measurable outcomes provided to Congress previously.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this subtitle $195,000,000 for each of fiscal years 1999 through 2002.

Subtitle B—Drug-Free Prisons and Jails

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''Drug-Free Prisons and Jails Act of 1998''.

SEC. 112. PURPOSE.

The purpose of this subtitle is to provide for the establishment of model programs for comprehensive treatment of substance-involved offenders in the criminal justice system to reduce drug abuse and drug-related crime, and reduce the costs of the criminal justice system, that can be successfully replicated by States and local units of government through a comprehensive evaluation.

SEC. 113. PROGRAM AUTHORIZATION.

(a) ESTABLISHMENT.—The Director of the Bureau of Justice Assistance shall establish a model substance abuse treatment program for substance-involved offenders by—

(1) providing financial assistance to grant recipients selected in accordance with section 114(b); and

(2) evaluating the success of programs conducted pursuant to this subtitle.

(b) GRANT AWARDS.—The Director may award not more than 5 grants to units of local government and not more than 5 grants to States.

(c) ADMINISTRATIVE COSTS.—Not more than 5 percent of a grant award made pursuant to this subtitle may be used for administrative costs.

SEC. 114. GRANT APPLICATION.

(a) CONTENTS.—An application submitted by a unit of local government or a State for a grant award under this subtitle shall include each of the following:

(1) STRATEGY.—A strategy to coordinate programs and services for substance-involved offenders provided by the unit of local government or the State, as the case may be, developed in consultation with representatives from all components of the criminal justice system within the jurisdiction, including judges, law enforcement personnel, prosecutors, corrections personnel, probation personnel, parole personnel, substance abuse treatment personnel, and substance abuse prevention personnel.

(2) CERTIFICATION.—A certification that—

(A) Federal funds made available under this subtitle will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities; and

(B) the programs developed pursuant to this subtitle meet all requirements of this subtitle.

(b) REVIEW AND APPROVAL.—Subject to section 113(b), the Director shall approve applications and make grant awards to units of local governments and States that show the most promise for accomplishing the purposes of this subtitle consistent with the provisions of section 115.

SEC. 115. USES OF FUNDS.

A unit of local government or State that receives a grant award under this subtitle shall use such funds to provide comprehensive treatment programs to inmates in prisons or jails, including not less than 3 of the following:

(1) Tailored treatment programs to meet the special needs of different types of substance-involved offenders.

(2) Random and frequent drug testing, including a system of sanctions.

(3) Training and assistance for corrections officers and personnel to assist substance-involved offenders in correctional facilities.

(4) Clinical assessment of incoming substance-involved offenders.

(5) Availability of religious and spiritual activity and counseling to provide an environment that encourages recovery from substance involvement in correctional facilities.

(6) Education and vocational training.

(7) A substance-free correctional facility policy.

SEC. 116. EVALUATION AND RECOMMENDATION REPORT TO CONGRESS.

(a) EVALUATION.—

(1) IN GENERAL.—The Director shall enter into a contract, with an evaluating agency that has demonstrated experience in the evaluation of substance abuse treatment, to conduct an evaluation that incorporates the criteria described in paragraph (2).

(2) EVALUATION CRITERIA.—The Director, in consultation with the Directors of the appropriate National Institutes of Health, shall establish minimum criteria for evaluating each program. Such criteria shall include—

(A) reducing substance abuse among participants;

(B) reducing recidivism among participants;

(C) cost effectiveness of providing services to participants; and

(D) a data collection system that will produce data comparable to that used by the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration and the Bureau of Justice Statistics of the Office of Justice Programs.

(b) REPORT.—The Director shall submit to the appropriate committees, at the same time as the President's budget for fiscal year 2001 is submitted, a report that—

(1) describes the activities funded by grant awards under this subtitle;

(2) includes the evaluation submitted pursuant to subsection (a); and

(3) makes recommendations regarding revisions to the authorization of the program, including extension, expansion, application requirements, reduction, and termination.

SEC. 117. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE COMMITTEES.—The term ''appropriate committees'' means the Committees on the Judiciary and the Committees on Appropriations of the House of Representatives and the Senate.

(2) DIRECTOR.—The term ''Director'' means the Director of the Bureau of Justice Assistance.

(3) SUBSTANCE-INVOLVED OFFENDER.—The term ''substance-involved offender'' means an individual under the supervision of a State or local criminal justice system, awaiting trial or serving a sentence imposed by the criminal justice system, who—

(A) violated or has been arrested for violating a drug or alcohol law;

(B) was under the influence of alcohol or an illegal drug at the time the crime was committed;

(C) stole property to buy illegal drugs; or

(D) has a history of substance abuse and addiction.

(4) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior and any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia, and the Trust Territory of the Pacific Islands.

SEC. 118. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund as authorized by title 31 of the Violent Crime and Control and Law Enforcement Act of 1994 (42 U.S.C. 14211)—

(1) for fiscal year 1999, $30,000,000; and

(2) for fiscal year 2000, $20,000,000.

(b) RESERVATION.—The Director may reserve each fiscal year not more than 20 percent of the funds appropriated pursuant to subsection (a) for activities required under section 116.

Subtitle C—Drug-Free Schools Quality Assurance

SEC. 121. SHORT TITLE.

This subtitle may be cited as the ''Drug-Free Schools Quality Assurance Act''.

SEC. 122. AMENDMENT TO SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT.

Subpart 3 of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7141 et seq.) is amended by adding at the end the following:

''SEC. 4134. QUALITY RATING.

''(a) IN GENERAL.—The chief executive officer of each State, or in the case of a State in which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for education activities, such individual, entity, or agency, is authorized and encouraged—

''(1) to establish a standard of quality for drug, alcohol, and tobacco prevention programs implemented in public elementary schools and secondary schools in the State in accordance with subsection (b); and

''(2) to identify and designate, upon application by a public elementary school or secondary school, any such school that achieves such standard as a quality program school.

''(b) CRITERIA.—The standard referred to in subsection (a) shall address, at a minimum—

''(1) a comparison of the rate of illegal use of drugs, alcohol, and tobacco by students enrolled in the school for a period of time to be determined by the chief executive officer of the State;

''(2) the rate of suspensions or expulsions of students enrolled in the school for drug, alcohol, or tobacco-related offenses;

''(3) the effectiveness of the drug, alcohol, or tobacco prevention program as proven by research;

''(4) the involvement of parents and community members in the design of the drug, alcohol, and tobacco prevention program; and

''(5) the extent of review of existing community drug, alcohol, and tobacco prevention programs before implementation of the public school program.

''(c) REQUEST FOR QUALITY PROGRAM SCHOOL DESIGNATION.—A school that wishes to receive a quality program school designation shall submit a request and documentation of compliance with this section to the chief executive officer of the State or the individual, entity, or agency described in subsection (a), as the case may be.

''(d) PUBLIC NOTIFICATION.—Not less than once a year, the chief executive officer of

each State or the individual, entity, or agency described in subsection (a), as the case may be, shall make available to the public a list of the names of each public school in the State that has received a quality program school designation in accordance with this section.''.

TITLE II—STATEMENT OF NATIONAL ANTIDRUG POLICY

Subtitle A—Congressional Leadership in Community Coalitions

SEC. 201. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Illegal drug use is dangerous to the physical well-being of the Nation's youth.

(2) Illegal drug use can destroy the lives of the Nation's youth by diminishing their sense of morality and with it everything in life that is important and worthwhile.

(3) According to recently released national surveys, drug use among the Nation's youth remains at alarmingly high levels.

(4) National leadership is critical to conveying to the Nation's youth the message that drug use is dangerous and wrong.

(5) National leadership can help mobilize every sector of the community to support the implementation of comprehensive, sustainable, and effective programs to reduce drug abuse.

(6) As of September 1, 1998, 76 Members of the House of Representatives were establishing community-based antidrug coalitions in their congressional districts or were actively supporting such coalitions that already existed.

(7) The individual Members of the House of Representatives can best help their constituents prevent drug use among the Nation's youth by establishing community-based antidrug coalitions in their congressional districts or by actively supporting such coalitions that already exist.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the individual Members of the House of Representatives, including the Delegates and the Resident Commissioner, should establish community-based antidrug coalitions in their congressional districts or should actively support any such coalitions that have been established.

Subtitle B—Rejection of Legalization of Drugs

SEC. 211. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Illegal drug use is harmful and wrong.

(2) Illegal drug use can kill the individuals involved or cause the individuals to hurt or kill others, and such use strips the individuals of their moral sense.

(3) The greatest threat presented by such use is to the youth of the United States, who are illegally using drugs in increasingly greater numbers.

(4) The people of the United States are more concerned about illegal drug use and crimes associated with such use than with any other current social problem.

(5) Efforts to legalize or otherwise legitimize drug use present a message to the youth of the United States that drug use is acceptable.

(6) Article VI, clause 2 of the Constitution of the United States states that ''[t]his Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding.''.

(7) The courts of the United States have repeatedly found that any State law that conflicts with a Federal law or treaty is preempted by such law or treaty.

(8) The Controlled Substances Act (21 U.S.C. 801 et seq.) strictly regulates the use and possession of drugs.

(9) The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotrophic Substances Treaty similarly regulates the use and possession of drugs.

(10) Any attempt to authorize under State law an activity prohibited under such Treaty or the Controlled Substances Act would conflict with that Treaty or Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the several States, and the citizens of such States, should reject the legalization of drugs through legislation, ballot proposition, constitutional amendment, or any other means; and

(2) each State should make efforts to be a drug-free State.

Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts

SEC. 221. REPORT ON STREAMLINING FEDERAL PREVENTION AND TREATMENT EFFORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the efforts of the Federal Government to reduce the demand for illegal drugs in the United States are frustrated by the fragmentation of those efforts across multiple departments and agencies; and

(2) improvement of those efforts can best be achieved through consolidation and coordination.

(b) REPORT REQUIREMENT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall prepare and submit to the appropriate committees a report evaluating options for increasing the efficacy of drug prevention and treatment programs and activities by the Federal Government. Such option shall include the merits of a consolidation of programs into a single agency, transferring programs from 1 agency to another, and improving coordinating mechanisms and authorities. The report shall also include a thorough review of the activities and potential consolidation of existing Federal drug information clearinghouses.

(2) RECOMMENDATION AND EXPLANATORY STATEMENT.—The study submitted under paragraph (1) shall identify options that are determined by the Director to have merit, and an explanation which options should be implemented.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this subsection $1,000,000 for contracting, policy research, and related costs.

(c) APPROPRIATE COMMITTEES DEFINED.—In this section, the term ''appropriate committees'' means the Committee on Appropriations, the Committee on Commerce, and the Committee on Education and the Workforce of the House of Representatives, and the Committee on Appropriations, and Committee on Labor and Human Resources of the Senate.

ADDITIONAL COSPONSORS

S. 597

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 597, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 1326

At the request of Mr. DASCHLE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1326, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 1525

At the request of Mr. SPECTER, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1525, a bill to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

S. 2353

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2353, a bill to redesignate the legal public holiday of ''Washington's Birthday'' as ''Presidents' Day'' in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 2623

At the request of Mr. GLENN, his name was added as a cosponsor of S. 2623, a bill to increase the efficiency and effectiveness of the Federal Government, and for other purposes.

S. 2640

At the request of Mr. D'AMATO, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2640, a bill to extend the authorization for the Upper Deleware Citizens Advisory Council.

SENATE RESOLUTION 199

At the request of Mr. TORRICELLI, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of Senate Resolution 199, a resolution designating the last week of April of each calendar year as ''National Youth Fitness Week.''

SENATE CONCURRENT RESOLUTION 129—TO CORRECT A TECHNICAL ERROR IN THE ENROLLMENT OF H.R. 3910

Mr. MURKOWSKI submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 129

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 3910 the Clerk of the House shall, in title IV, section 406, strike ''5 years after the date of enactment of the Omnibus National Parks and Public Lands Act of 1998'' and insert ''5 years after the date of enactment of this Act.''

SENATE CONCURRENT RESOLUTION 130—TO CORRECT THE ENROLLMENT OF H.R. 4328

Mr. REED submitted the following concurrent resolution; which was referred to the Committee on Appropriations:

S. CON. RES. 130

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 4328, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes, the Clerk of the House of Representatives shall make the following correction: Strike section 103 of division A.

SENATE RESOLUTION 311—EXPRESSING THE SENSE OF THE SENATE THAT THE SECRETARY OF THE INTERIOR SHOULD SUPPORT THE ESABLISHMENT OF A MEMORIAL TO THOMAS PAINE

Mr. D'AMATO submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 311

Resolved,

SECTION 1. THOMAS PAINE MEMORIAL.

It is the sense of the Senate that the Secretary of the Interior should support the establishment of a memorial to Thomas Paine in the District of Columbia, as authorized by Public Law 102–407 (40 U.S.C. 1003 note).

SEC. 2. LOCATION OF MEMORIAL.

The memorial described in section 1 should—

(1) be established on the National Park Service property in Constitution Gardens within the 1700 block of Constitution Avenue, N.W., in the District of Columbia; and

(2) specifically include the structure known as the ''Canal House'', to be used by the Thomas Paine National Historical Association U.S.A. Memorial Foundation as an integral part of the memorial, in a manner determined by the National Park Service and the Thomas Paine National Historical Association U.S.A. Memorial Foundation.

AMENDMENTS SUBMITTED

CORRECTION OFFICERS HEALTH AND SAFETY ACT OF 1998

HATCH AMENDMENT NO. 3832

Mr. BURNS (for Mr. HATCH) proposed an amendment to the bill (H.R. 2070) to amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Correction Officers Health and Safety Act of 1998''.

SEC. 2. TESTING FOR HUMAN IMMUNODEFICIENCY VIRUS.

(a) IN GENERAL.—Chapter 301 of title 18, United States Code, is amended by adding at the end the following:

''§ 4014. Testing for human immunodeficiency virus

''(a) The Attorney General shall cause each individual convicted of a Federal offense who is sentenced to incarceration for a period of 6 months or more to be tested for the presence of the human immunodeficiency virus, as appropriate, after the commencement of that incarceration, if such individual is determined to be at risk for infection with such virus in accordance with the guidelines issued by the Bureau of Prisons relating to infectious disease management.

''(b) If the Attorney General has a well-founded reason to believe that a person sentenced to a term of imprisonment for a Federal offense, or ordered detained before trial under section 3142(e), may have intentionally or unintentionally transmitted the human immunodeficiency virus to any officer or employee of the United States, or to any person lawfully present in a correctional facility who is not incarcerated there, the Attorney General shall—

''(1) cause the person who may have transmitted the virus to be tested promptly for the presence of such virus and communicate the test results to the person tested; and

''(2) consistent with the guidelines issued by the Bureau of Prisons relating to infectious disease management, inform any person (in, as appropriate, confidential consultation with the person's physician) who may have been exposed to such virus, of the potential risk involved and, if warranted by the circumstances, that prophylactic or other treatment should be considered.

''(c) If the results of a test under subsection (a) or (b) indicate the presence of the human immunodeficiency virus, the Attorney General shall provide appropriate access for counselling, health care, and support services to the affected officer, employee, or other person, and to the person tested.

''(d) The results of a test under this section are inadmissible against the person tested in any Federal or State civil or criminal case or proceeding.

''(e) Not later than 1 year after the date of enactment of this section, the Attorney General shall issue rules to implement this section. Such rules shall require that the results of any test are communicated only to the person tested, and, if the results of the test indicate the presence of the virus, to correctional facility personnel consistent with guidelines issued by the Bureau of Prisons. Such rules shall also provide for procedures designed to protect the privacy of a person requesting that the test be performed and the privacy of the person tested.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 301 of title 18, United States Code, is amended by adding at the end the following new item:

''4014. Testing for human immunodeficiency virus.''.

(c) GUIDELINES FOR STATES.—Not later than 1 year after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services, shall provide to the several States proposed guidelines for the prevention, detection, and treatment of incarcerated persons and correctional employees who have, or may be exposed to, infectious diseases in correctional institutions.

AFRICA: SEEDS OF HOPE ACT OF 1998

DEWINE AMENDMENT NO. 3833

Mr. BURNS (for Mr. DEWINE) proposed an amendment to the bill (H.R. 4283) to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Africa: Seeds of Hope Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and declaration of policy.
TITLE I—ASSISTANCE FOR SUB-SAHARAN AFRICA
Sec. 101. Africa Food Security Initiative.
Sec. 102. Microenterprise assistance.
Sec. 103. Support for producer-owned cooperative marketing associations.
Sec. 104. Agricultural and rural development activities of the Overseas Private Investment Corporation.
Sec. 105. Agricultural research and extension activities.
TITLE II—WORLDWIDE FOOD ASSISTANCE AND AGRICULTURAL PROGRAMS
Subtitle A—Nonemergency Food Assistance Programs
Sec. 201. Nonemergency food assistance programs.
Subtitle B—Bill Emerson Humanitarian Trust Act of 1998
Sec. 211. Short title.
Sec. 212. Amendments to the Food Security Commodity Reserve Act of 1996.
Subtitle C—International Fund for Agricultural Development
Sec. 221. Review of the International Fund for Agricultural Development.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Report.

SEC. 2. FINDINGS AND DECLARATION OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The economic, security, and humanitarian interests of the United States and the nations of sub-Saharan Africa would be enhanced by sustainable, broad-based agricultural and rural development in each of the African nations.

(2) According to the Food and Agriculture Organization, the number of undernourished people in Africa has more than doubled, from approximately 100,000,000 in the late 1960s to 215,000,000 in 1998, and is projected to increase to 265,000,000 by the year 2010. According to the Food and Agriculture Organization, the term ''under nutrition'' means inadequate consumption of nutrients, often adversely affecting children's physical and mental development, undermining their future as productive and creative members of their communities.

(3) Currently, agricultural production in Africa employs about two-thirds of the workforce but produces less than one-fourth of the gross domestic product in sub-Saharan Africa, according to the World Bank Group.

(4) African women produce up to 80 percent of the total food supply in Africa according to the International Food Policy Research Institute.

(5) An effective way to improve conditions of the poor is to increase the productivity of the agricultural sector. Productivity increases can be fostered by increasing research and education in agriculture and rural development.

(6) In November 1996, the World Food Summit set a goal of reducing hunger worldwide by 50 percent by the year 2015 and encouraged national governments to develop domestic food plans and to support international aid efforts.

(7) Although the World Bank Group recently has launched a major initiative to support agricultural and rural development, only 10 percent, or $1,200,000,000, of its total lending to sub-Saharan Africa for fiscal years 1993 to 1997 was devoted to agriculture.

(8)(A) United States food processing and agricultural sectors benefit greatly from the liberalization of global trade and increased exports.

(B) Africa represents a growing market for United States food and agricultural products. Africa's food imports are projected to rise from less than 8,000,000 metric tons in 1990 to more than 25,000,000 metric tons by the 2020.

(9)(A) Increased private sector investment in African countries and expanded trade between the United States and Africa can greatly help African countries achieve food self-sufficiency and graduate from dependency on international assistance.

(B) Development assistance, technical assistance, and training can facilitate and encourage commercial development in Africa, such as improving rural roads, agricultural research and extension, and providing access to credit and other resources.

(10)(A) Several United States private voluntary organizations have demonstrated success in empowering Africans through direct business ownership and helping African agricultural producers more efficiently and directly market their products.

(B) Rural business associations, owned and controlled by farmer shareholders, also greatly help agricultural producers to increase their household incomes.

(b) DECLARATION OF POLICY.—It is the policy of the United States, consistent with title XII of part I of the Foreign Assistance Act of 1961, to support governments of sub-Saharan African countries, United States and African nongovernmental organizations, universities, businesses, and international agencies, to help ensure the availability of basic nutrition and economic opportunities for individuals in sub-Saharan Africa, through sustainable agriculture and rural development.

TITLE I—ASSISTANCE FOR SUB-SAHARAN AFRICA

SEC. 101. AFRICA FOOD SECURITY INITIATIVE.

(a) ADDITIONAL REQUIREMENTS IN CARRYING OUT THE INITIATIVE.—In providing development assistance under the Africa Food Security Initiative, or any comparable or successor program, the Administrator of the United States Agency for International Development—

(1) shall emphasize programs and projects that improve the food security of infants, young children, school-age children, women and food-insecure households, or that improve the agricultural productivity, incomes, and marketing of the rural poor in Africa;

(2) shall solicit and take into consideration the views and needs of intended beneficiaries and program participants during the selection, planning, implementation, and evaluation phases of projects;

(3) shall favor countries that are implementing reforms of their trade and investment laws and regulations in order to enhance free market development in the food processing and agricultural sectors; and

(4) shall ensure that programs are designed and conducted in cooperation with African and United States organizations and institutions, such as private and voluntary organizations, cooperatives, land-grant and other appropriate universities, and local producer-owned cooperative marketing and buying associations, that have expertise in addressing the needs of the poor, small-scale farmers, entrepreneurs, and rural workers, including women.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, if there is an increase in funding for sub-Saharan programs, the Administrator of the United States Agency for International Development should proportionately increase resources to the Africa Food Security Initiative, or any comparable or successor program, for fiscal year 2000 and subsequent fiscal years in order to meet the needs of the countries participating in such Initiative.

SEC. 102. MICROENTERPRISE ASSISTANCE.

(a) BILATERAL ASSISTANCE.—In providing microenterprise assistance for sub-Saharan Africa, the Administrator of the United States Agency for International Development shall, to the extent practicable, use credit and microcredit assistance to improve the capacity and efficiency of agriculture production in sub-Saharan Africa of small-scale farmers and small rural entrepreneurs. In providing assistance, the Administrator should use the applied research and technical assistance capabilities of United States land-grant universities.

(b) MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall continue to work with other countries, international organizations (including multilateral development institutions), and entities assisting microenterprises and shall develop a comprehensive and coordinated strategy for providing microenterprise assistance for sub-Saharan Africa.

(2) ADDITIONAL REQUIREMENT.—In carrying out paragraph (1), the Administrator should encourage the World Bank Consultative Group to Assist the Poorest to coordinate the strategy described in such paragraph.

SEC. 103. SUPPORT FOR PRODUCER-OWNED COOPERATIVE MARKETING ASSOCIATIONS.

(a) PURPOSES.—The purposes of this section are—

(1) to support producer-owned cooperative purchasing and marketing associations in sub-Saharan Africa;

(2) to strengthen the capacity of farmers in sub-Saharan Africa to participate in national and international private markets and to promote rural development in sub-Saharan Africa;

(3) to encourage the efforts of farmers in sub-Saharan Africa to increase their productivity and income through improved access to farm supplies, seasonal credit, technical expertise; and

(4) to support small businesses in sub-Saharan Africa as they grow beyond microenterprises.

(b) SUPPORT FOR PRODUCER-OWNED COOPERATIVE MARKETING ASSOCIATIONS.—

(1) ACTIVITIES.—

(A) IN GENERAL.—The Administrator of the United States Agency for International Development is authorized to utilize relevant foreign assistance programs and initiatives for sub-Saharan Africa to support private producer-owned cooperative marketing associations in sub-Saharan Africa, including rural business associations that are owned and controlled by farmer shareholders.

(B) ADDITIONAL REQUIREMENTS.—In carrying out subparagraph (A), the Administrator—

(i) shall take into account small-scale farmers, small rural entrepreneurs, and rural workers and communities; and

(ii) shall take into account the local-level perspectives of the rural and urban poor through close consultation with these groups, consistent with section 496(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(e)(1)).

(2) OTHER ACTIVITIES.—In addition to carrying out paragraph (1), the Administrator is encouraged—

(A) to cooperate with governments of foreign countries, including governments of political subdivisions of such countries, their agricultural research universities, and particularly with United States nongovernmental organizations and United States land-grant universities, that have demonstrated expertise in the development and promotion of successful private producer-owned cooperative marketing associations; and

(B) to facilitate partnerships between United States and African cooperatives and private businesses to enhance the capacity and technical and marketing expertise of business associations in sub-Saharan Africa.

SEC. 104. AGRICULTURAL AND RURAL DEVELOPMENT ACTIVITIES OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) PURPOSE.—The purpose of this section is to encourage the Overseas Private Investment Corporation to work with United States businesses and other United States entities to invest in rural sub-Saharan Africa, particularly in ways that will develop the capacities of small-scale farmers and small rural entrepreneurs, including women, in sub-Saharan Africa.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Overseas Private Investment Corporation should exercise its authority under law to undertake an initiative to support private agricultural and rural development in sub-Saharan Africa, including issuing loans, guaranties, and insurance, to support rural development in sub-Saharan Africa, particularly to support intermediary organizations that—

(A) directly serve the needs of small-scale farmers, small rural entrepreneurs, and rural producer-owned cooperative purchasing and marketing associations;

(B) have a clear track-record of support for sound business management practices; and

(C) have demonstrated experience with participatory development methods; and

(2) the Overseas Private Investment Corporation should utilize existing equity funds, loan and insurance funds, to the extent feasible and in accordance with existing contractual obligations, to support agriculture and rural development in sub-Saharan Africa.

SEC. 105. AGRICULTURAL RESEARCH AND EXTENSION ACTIVITIES.

(a) DEVELOPMENT OF PLAN.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of Agriculture and appropriate Department of Agriculture agencies, especially the Cooperative State, Research, Education and Extension Service (CSREES), shall develop a comprehensive plan to coordinate and build on the research and extension activities of United States land-grant universities, international agricultural research centers, and national agricultural research and extension centers in sub-Saharan Africa.

(b) ADDITIONAL REQUIREMENTS.—Such plan shall seek to ensure that—

(1) research and extension activities will respond to the needs of small-scale farmers while developing the potential and skills of researchers, extension agents, farmers, and agribusiness persons in sub-Saharan Africa;

(2) sustainable agricultural methods of farming will be considered together with new technologies in increasing agricultural productivity in sub-Saharan Africa; and

(3) research and extension efforts will focus on sustainable agricultural practices and will be adapted to widely varying climates within sub-Saharan Africa.

TITLE II—WORLDWIDE FOOD ASSISTANCE AND AGRICULTURAL PROGRAMS

Subtitle A—Nonemergency Food Assistance Programs

SEC. 201. NONEMERGENCY FOOD ASSISTANCE PROGRAMS.

(a) IN GENERAL.—In providing nonemergency assistance under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.), the Administrator of the United States Agency for International Development shall ensure that—

(1) in planning, decisionmaking, and implementation in providing such assistance, the Administrator takes into consideration local input and participation directly and through United States and indigenous private and voluntary organizations;

(2) each of the nonemergency activities described in paragraphs (2) through (6) of section 201 of such Act (7 U.S.C. 1721), including programs that provide assistance to people of any age group who are otherwise unable to meet their basic food needs (including feeding programs for the disabled, orphaned, elderly, sick and dying), are carried out; and

(3) greater flexibility is provided for program and evaluation plans so that such assistance may be developed to meet local needs, as provided for in section 202(f) of such Act (7 U.S.C. 1722(f)).

(b) OTHER REQUIREMENTS.—In providing assistance under the Agriculture Trade Development and Assistance Act of 1954, the Secretary of Agriculture and the Administrator of United States Agency for International Development shall ensure that commodities are provided in a manner that is consistent with sections 403 (a) and (b) of such Act (7 U.S.C. 1733 (a) and (b)).

Subtitle B—Bill Emerson Humanitarian Trust Act of 1998

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''Bill Emerson Humanitarian Trust Act of 1998''.

SEC. 212. BILL EMERSON HUMANITARIAN TRUST ACT.

(a) IN GENERAL.—Section 302 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by inserting ''OR FUNDS'' after ''COMMODITIES'';

(B) in paragraph (1)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) funds made available under paragraph (2)(B) which shall be used solely to replenish commodities in the trust.''; and

(C) in paragraph (2),

(i) by striking subparagraph (B) and inserting the following:

''(B) FUNDS.—Any funds used to acquire eligible commodities through purchases from producers or in the market to replenish the trust shall be derived—

''(i) with respect to fiscal years 2000 through 2002 from funds made available to carry out the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) that are used to repay or reimburse the Commodity Credit Corporation for the release of eligible commodities under subsections (c)(2) and (f)(2), except that, of such funds, not more than $20,000,000 may be expended for this purpose in each of the fiscal years 2000 through 2002; and

''(ii) from funds authorized for that use by an appropriations Act.'';

(2) in subsection (c)(2)—

(A) by striking ''ASSISTANCE.—Notwithstanding'' and inserting the following: ''ASSISTANCE.—

''(A) IN GENERAL.—Notwithstanding''; and

(B) by adding at the end the following:

''(B) LIMITATION.—The Secretary may release eligible commodities under subparagraph (A) only to the extent such release is consistent with maintaining the long-term value of the trust.'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) subject to the need for release of commodities from the trust under subsection (c)(1), for the management of the trust to preserve the value of the trust through acquisitions under subsection (b)(2).''; and

(4) in subsection (f)—

(A) in paragraph (2), by inserting ''OF THE TRUST'' after ''REIMBURSEMENT'' in the heading; and

(B) in paragraph (2)(A), by inserting ''and the funds shall be available to replenish the trust under subsection (b)'' before the end period.

(b) CONFORMING AMENDMENTS.—

(1) Title III of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 et seq.) is amended by striking the title heading and inserting the following:

''TITLE III—BILL EMERSON HUMANITARIAN TRUST''.

(2) Section 301 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1 note) is amended to read as follows:

''SEC. 301. SHORT TITLE.

''This title may be cited as the 'Bill Emerson Humanitarian Trust Act'.''.

(3) Section 302 of the Agricultural Act of 1980 (7 U.S.C. 1736f–1) is amended—

(A) in the section heading, by striking ''**RESERVE**'' and inserting ''**TRUST**'';

(B) by striking ''reserve'' each place it appears (other than in subparagraphs (A) and (B) of subsection (b)(1)) and inserting ''trust'';

(C) in subsection (b)—

(i) in the subsection heading, by striking ''RESERVE'' and inserting ''TRUST'';

(ii) in paragraph (1)(B), by striking ''reserve,'' and inserting ''trust,''; and

(iii) in the paragraph heading of paragraph (2), by striking ''RESERVE'' and inserting ''TRUST''; and

(D) in the subsection heading of subsection (e), by striking ''RESERVE'' and inserting ''TRUST''.

(4) Section 208(d)(2) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4001(d)(2)) is amended by striking ''Food Security Commodity Reserve Act of 1996'' and inserting ''Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1 et seq.)''.

(5) Section 901b(b)(3) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241f(b)(3)), is amended by striking ''Food Security Wheat Reserve Act of 1980 (7 U.S.C. 1736f–1)'' and inserting ''Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1 et seq.)''.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REPORT.

Not later than 6 months after the date of enactment of this Act, the Administrator of the United States Agency for International Development, in consultation with the heads of other appropriate agencies, shall prepare and submit to Congress a report on how the Agency plans to implement sections 101, 102, 103, 105, and 201 of this Act, the steps that have been taken toward such implementation, and an estimate of all amounts expended or to be expended on related activities during the current and previous 4 fiscal years.

ADDITIONAL STATEMENTS

WORLD POPULATION AWARENESS WEEK

• Mr. KERREY. Mr. President, I rise today to acknowledge October 24–31 as the 13th annual observation of World Population Week. In particular, I draw to the attention of my colleagues the proclamation of World Population Awareness Week by the Governor of Nebraska, Ben Nelson. I ask that the full text of this proclamation be printed in the RECORD.

The text follows:

Whereas world population stands today at more than 5.9 billion and increases by more than 80 million per year, with virtually all of this growth in the least developed countries;

Whereas the consequences of rapid population growth are not limited to the developing world but extend to all nations and to all people, including every citizen of the State of Nebraska concerned for human dignity, freedom and democracy, as well as for the impact on the global economy;

Whereas 1.3 billion people—more than the combined population of Europe and North Africa—live in absolute poverty on the equivalent of one US dollar or less a day;

Whereas 1.5 billion people—nearly one-quarter of the world population—lack an adequate supply of clean drinking water or sanitation;

Whereas more than 840 million people—one-fifth of the entire population of the developing world—are hungry or mal-nourished;

Whereas this unmet demand for family planning is projected to result in 1.2 billion unintended births;

Whereas the 1994 International Conference on Population and Development determined that political and appropriate programs aimed at providing universal access to voluntary family planning, information, education and services can ensure world population stabilization at 8 billion or less rather than 12 billion or more;

Now, therefore, I, E. Benjamin Nelson, Governor of the State of Nebraska, do hereby proclaim the week of October 25–31, 1998 as World Population Awareness Week, and urge citizens of the State to take cognizance of this event and to participate appropriately in its observance.

Mr. President, I ask my colleagues to join me in recognizing World Population Awareness Week.•

BREAST CANCER RESEARCHERS

• Mr. D'AMATO. Mr. President, I rise today to acknowledge the outstanding dedication and commitment of two New Yorkers and the staff of a statewide breast cancer hotline. Lorraine

Pace, a breast cancer survivor, and Dr. Wende Logan-Young, a Rochester-area physician were awarded New York's ''Innovation in Breast Cancer Early Detection and Research Awards.''

Lorraine Pace, Breast Cancer Education Specialist at the University Hospital at Stony Brook, was recognized in the ''Consumer'' category as a compassionate and effective advocate for women with breast cancer.

Dr. Logan-Young is the founder and director of the Elizabeth Wende Breast Clinic in Rochester. She was recognized in the ''Professional'' category for her outstanding work with the Women's Health Partnership and her contribution to the advances in mammography screening technology.

I commend and admire the service of Lorraine Pace and Dr. Wende Logan-Young in helping New York's women lead healthier, longer, and more productive lives.●

THE DEATH OF MATTHEW SHEPARD

● Mr. KERRY. Mr. President, Americans from every region in the country, from all walks of life—Americans straight and gay —have spent the past week expressing our sense of shock and outrage for what happened on a dark road in Wyoming. We have also expressed our passionate conviction and knowledge that there is no room in our country for the kind of vicious, terrible, pathetic, ignorant hate that took the life of Matthew Shepard.

We are a better country than that and, Mr. President, I know that Wyoming is filled with good people who share our shock tonight.

But the question, here in this city of monuments, is what will we do about it as a country? Is there a lesson that can become a monument to Matthew Shepard and so many others who suffer because of other people's limitations?

The reason we are here is to guarantee that lesson and to make certain that there will be no period of indifference, as there was initially when the country ignored the burning of black churches or overlooked the spray-painted swastikas in synagogues; or suggested that the undiluted hatred which killed this young man is someone else's problem, some other community's responsibility.

We must all accept national responsibility for the killing in Wyoming, and commit—each of us in our words, in our hearts, and in our actions—to insure that the lesson of Matthew Shepard is not forgotten.

To my friends in the Congress, I say let us pass the Hate Crimes Prevention Act. And, let the so-called leaders in this country stop their immature and nonsensical rhetoric which encourages, or justifies, these barbaric acts. Look to the 58 high schools in my own beautiful state of Massachusetts where 22 percent of gay students say they skip school because they feel unsafe there and fully 31 percent of gay students had been threatened or actually physically attacked for being gay. Matthew Shepard is not the exception to the rule, Mr. President; his tragic death rather is the extreme example of what happens on a daily basis in our schools, on our streets and in our communities. And that's why we have an obligation to pass laws that make clear our determination to root out this hatred. We hear a lot from Congress today how we are a country of laws, not men. Let them make good on those words and pass hate crime legislation.

To all Americans, I encourage you tonight to stare down those who want you to live in fear and declare boldly that you will not live in a country where private prejudice undermines public law.

Each of us has the power to make this happen, and in a small way change misperception and reverse prejudice. Our belief in the strength of human justice can overcome the hatred in our society—by confronting it.

So we must confront it as Martin Luther King did when he preached in Birmingham and Memphis and all over this country, when he thundered his protest and assuaged those who feared his dreams. He taught us how to look hatred in the face and overcome it.

We should face it as Nelson Mandela did the day he left prison in South Africa, knowing that if his heart was filled only with hatred, he could never be free. Nelson Mandela destroyed systemic hatred, faced the fear—and today sets an example to the world about moving away from ignorance.

We need to challenge it as Harvey Milk did in San Francisco, when he brushed aside hatred, suspicion, fear and death threats to serve his city. Even as he foretold his own assassination, Harvey prayed that ''if a bullet should enter my brain, let that bullet destroy every closet door.'' He knew that true citizenship belongs only to an enlightened people, undeterred by passion or prejudice—and it exists in a country which recognizes no one particular aspect of humanity before another.

Today, the challenge is to face our fears and root out hatred wherever we find it—whether on Laramie Road in Wyoming, or on the back roads of Jasper, Texas, or in the Shenandoah National Park.

The Declaration of Independence framed it all for us and everything we try to be is based on the promise of certain inalienable rights; life, liberty and the pursuit of happiness.

Mr. President, those two young high school dropouts threaten each and every one of us when they stole Matthew's rights and life itself.

That kind of hate is the real enemy of our civilization—and we come here to call on all people of good conscience to pass the laws that help us protect every citizen and we ask all Americans to make the personal commitment to live their lives each day in a way that brings us together.●

TRIBUTE TO MATTHEW SHEPARD AND HIS FAMILY

● Mrs. MURRAY. Mr. President, I rise today to remember a young man who was wrongly, viciously struck down in the prime of his life. Matthew Shepard was an innocent, kind, young man pursuing his education and enjoying the life of a college student. Tragically, he is now a reminder of what happens when we do not stand up to hate and bigotry.

On Monday night in Seattle and Spokane, Washington, hundreds of people from all walks of life came together to remember Matthew and to call for action to end hate crimes. Many people in Washington were outraged and shared in our Nation's sorrow. I was touched by this response and join with so many others in expressing my own deep sense of hopelessness. I know that this was not just an isolated incident. Hate crimes are a real threat. We cannot be silent any longer.

A week ago today, I joined many of my colleagues down at the White House in celebration of the signing of the Higher Education Reauthorization Act. I was proud to be there to call attention to the importance of this act. I was proud that the legislation increased opportunities for young students and improved access to quality education for all students. I thought about how important it was for us to be focused on the needs of young Americans and their families striving to achieve a higher education.

I thought of the many college students and high school students I have met who would benefit from these opportunities. I thought about my own college age children and the opportunities they would have. I knew this was a big accomplishment.

Today, my thoughts are with another young college student who will never experience the opportunities and improvements we worked so hard to achieve. My thoughts have gone from improving opportunities to how to prevent the terrible heartache that Matthew Shepard's family and friends are now experiencing.

When I first heard of this horrible crime I immediately felt deep sympathy for Matthew's parents. How frightening it must have been for them to fly half way around the world to be with their child who was almost unrecognizable because of the violent attack he suffered. I can't imagine the pain they must be experiencing. There are simply no words that I could offer in comfort.

I then felt deep sorrow for the community and the University. To know that those who committed this violent and hateful crime are part of their community must be unbearable. This community will never be the same.

I now feel sorry for our Nation. What we have lost? A young man with so much potential. What might Matthew Shepard have become? We know that he was interested in political science and very interested in this field of

study. Could Matthew have become a U.S. Senator?

I think now that maybe Matthew can teach us all. We need to use this tragic and despicable crime to attack hate as we attack any other disease that kills. We must treat hate crimes as the deadly threat that they are and do more to prevent them. Hate is nothing more than a cancer that needs to be stopped.

S. 1529, Hate Crimes Prevention Act, offers us that opportunity. I am pleased to have joined with many of my colleagues in cosponsoring this important legislation. The bill would expand the definition of a hate crime and improve prosecution of those who act out their hate with violence. No one beats a person to death and leaves them to die without being motivated by a deep sense of hate. This was no robbery. The motive was hate.

The immediate response of local law enforcement officials illustrates why we need to strengthen Federal Hate Crimes laws and why the Federal Government must take a greater role in ending this violence.

I urge all of my colleagues to think about the many Matthew Shepards, we have all met. Kind and hard working young adults. Let us act now to prevent any more senseless violence and deaths.

It is often said that from tragedy we can learn. Let us learn from this tragic event and make a commitment that we will act on Hate Crimes Prevention legislation. Let our actions serve as a comfort to Matthew's parents and the hundreds of other parents who fear for their children.

There are so many tragedies that we cannot prevent. Another senseless, brutal attack like the one experienced by Matthew is a tragedy that we can prevent. We spend millions of dollars a year seeking cures for deadly diseases that strike the young and old. We simply cannot accept a disease that strikes without warning and takes the life of a precious vulnerable child. We need to treat hate the same. It cannot and will not be tolerated.●

HOUSE DELAY IN PASSAGE OF THE DIGITAL MILLENNIUM COPYRIGHT ACT, H.R. 2281

● Mr. LEAHY. Mr. President, I am glad that the House Republican leadership relented and after several days' delay allowed the House to consider and adopt the conference report on the landmark Digital Millennium Copyright Act, H.R. 2281.

Just two weeks ago, the Senate unanimously passed the Conference Report on the Digital Millennium Copyright Act, H.R. 2281. This important legislation is based on the implementing legislation recommended by the Administration and introduced last year by Senators HATCH, THOMPSON, KOHL and me, to implement the new World Intellectual Property Organization (WIPO) copyright treaties. The bill provides the protection necessary to encourage copyright owners to make their works available over the Internet and in other digital formats. This legislation sets a standard for other nations who must also implement these treaties.

The Senate bill was reported unanimously by the Senate Judiciary Committee and passed the Senate without opposition. The House-Senate conference over the last several weeks also led to all conferees signing the conference report and supporting the final version of the legislation. As the only Senate Democratic conferee I was pleased to serve on this conference and participate in working out agreements with House Republican and Democratic conferees.

With the approval of the chairmen and ranking Democrats on both the House Judiciary Committee and the House Commerce Committee, this landmark legislation—which Senator HATCH has called the most important bill we will pass this year—seemed to have finally cleared the last hurdle and be ready to be sent to the President for enactment. On Thursday, October 8, Senator HATCH and I were both present on the Senate floor for Senate final passage and had been informed that the House leadership had determined to take up and pass the bill that very day.

Surprisingly, the bill was not taken up in the House on Thursday or Friday or Saturday or Sunday. There was a threat that it would not be brought up by the House leadership at all, and I think that the Senate and the American people are entitled to an explanation.

It turns out that the House Republican leadership had decided to hold this critical legislation hostage to petty partisan politics. According to reports in Roll Call on October 8 and 12, Reuters on October 10 and the Washington Post on October 14 and 15, House Republicans were mad that a pal of theirs was not hired to head the Electronic Industries Alliance. The hold on this legislation is to ''send a message.''

Apparently, in the world of NEWT GINGRICH and DICK ARMEY and TOM DELAY, trade associations better hire their Republican friends or there will be retribution, including stalling action of important bipartisan legislation that promotes the national interest. This is childish behavior beneath the dignity of those who hold leadership positions in a House of Congress. The Digital Millennium Copyright Act, a good bill on which so many of us have worked so hard and cooperated so closely across the aisle, was finally allowed to be considered by the House and did pass. I thank the House Republican leaders for ending their pout in time for this landmark legislation to be adopted.

This bill should help create jobs and economic opportunities to America's leading copyright-based industries. We all recognize that because the U.S. is the world-wide leader in intellectual property, the U.S. will be the main beneficiary if Congress enacts this legislation.

Protecting and encouraging the intellectual creations of our citizens has always been a fundamental priority for our country and a responsibility of our national government. Our creative industries produce the material that makes the global information infrastructure something worth having. I want to ensure that the creators of movies and television and cable programming and recordings and books and computer software and interactive media continue to create, that their creativity is rewarded, that their creations are not stolen or pirated, and that those basic tenets are followed in all the world's markets.

The 1998 report of the International Intellectual Property Alliance confirms the importance of copyright-based industries to our American economy and our economic future. The report demonstrates, for the seventh straight year, that the U.S. copyright industries continue to be one of the largest and fastest growing segments of the U.S. economy. These industries are leading this country into the digital age and the 21st century. Thanks goodness cooler heads finally prevailed and Congress was allowed to complete work on the Digital Millennium Copyright Act.●

JACK HECHLER: DECADE OF SERVICE TO CONGRESSIONAL EXCHANGE PROGRAM

● Mr. LIEBERMAN. Mr. President, it gives me great pleasure today to recognize the dedication of Mr. Jack Hechler, who for the past decade has served as an interpreter and escort for an annual Congressional exchange program; the U.S. Congress/Bundestag Staff Exchange.

This highly successful program has been in existence since 1983 and serves as a guideline to staff exchanges around the world. For the past ten years, Mr. Hechler has been the contract interpreter and escort for the German staff delegation which arrives each summer for a three week program in the United States. Born and raised in Germany, Mr. Hechler graduated from American University in Washington, DC, served in Korea with the U.S. Armed Forces and for more than 37 years was an active Civil Service employee who, prior to retirement was the Director of Policy, Plans and Evaluation at the General Service Administration. Now retired, Mr. Hechler has been devoted to the U.S. Congress—Bundestag Staff Exchange Program.

Jack Hechler has been invaluable to the U.S. Congress-Bundestag Staff Exchange program by providing continuity to a program which relies heavily on alumni volunteers. The ten member German delegations and the network of American alumni have counted on his insight and discussions to add to this annual program. A recipient of the Order of Merit from the Federal Republic of Germany for his work with this

exchange program, he has provided a tremendous service and I offer my most sincere thanks to Jack for his efforts on behalf of the U.S. Congress-Bundestag Staff Exchange program. For a decade of service, vielen dank.●

THE VERY BAD DEBT BOXSCORE

● Mr. HELMS. Mr. President, at the close of business yesterday, Monday, October 19, 1998, the federal debt stood at $5,541,765,173,290.62 (Five trillion, five hundred forty-one billion, seven hundred sixty-five million, one hundred seventy-three thousand, two hundred ninety dollars and sixty-two cents).

Five years ago, October 19, 1993, the federal debt stood at $4,403,899,000,000 (Four trillion, four hundred three billion, eight hundred ninety-nine million).

Ten years ago, October 19, 1988, the federal debt stood at $2,620,577,000,000 (Two trillion, six hundred twenty billion, five hundred seventy-seven million).

Fifteen years ago, October 19, 1983, the federal debt stood at $1,382,541,000,000 (One trillion, three hundred eighty-two billion, five hundred forty-one million).

Twenty-five years ago, October 19, 1973, the federal debt stood at $461,462,000,000 (Four hundred sixty-one billion, four hundred sixty-two million) which reflects a debt increase of more than $5 trillion—$5,080,303,173,290.62 (Five trillion, eighty billion, three hundred three million, one hundred seventy-three thousand, two hundred ninety dollars and sixty-two cents) during the past 25 years.●

REAUTHORIZATION OF THE SURFACE TRANSPORTATION BOARD

● Mr. HOLLINGS. Mr. President, I rise today in support of S. 1802, the reauthorization of the Surface Transportation Board (Board). I have spoken out in favor of the Board on many occasions. I want to reemphasize today my commitment to seeing that the Board will be in business for a long time and will be given the resources that it needs to continue its vital work.

The Board is the independent economic regulatory agency that oversees the Nation's rail and surface transportation industries. A healthy transportation system is critical to sustaining a vibrant and growing economy. Under the able and forward-looking leadership of Linda Morgan, the Board's Chairman, who was with us on the Commerce Committee for many years, the Board has worked to ensure that the transportation system is both healthy and responsive. Although it was established to be principally an adjudicatory body, the Board has reached out to the transportation community in an unprecedented way. It has handled the crisis in the West appropriately, letting the private sector work it out where possible, but intervening when necessary. It has initiated proceedings at the request of Senator MCCAIN and Senator HUTCHISON to review the status of access and competition in the railroad industry, and its actions have produced a mix of government action and private-sector solutions. With its staff of 135, it puts out more work than much larger agencies, issuing well-reasoned, thoughtful, and balanced decisions in tough, contentious cases. Just recently, in the Conrail acquisition case, the Board issued one such decision that is good for my State, and for the Nation.

But the Board is stretched thin. It needs to train new people to replace the many employees who are likely to retire soon. And next year, it will continue to expend resources monitoring the implementation of the Conrail acquisition and the rest of the rail network. The Board needs adequate resources to do the hard work that we expect it to do.

Because we need the Board, and because the Board has done a fine job, I am here today supporting a clean reauthorization bill. I supported the Staggers Act when it was passed, and I think in large part it has been a success.

I know that there is some concern about how our transportation system ought to look, and that there are many important issues on the table right now. Several of those issues are being handled by the Board, in connection with its competition and access hearings. I am confident that the Board will do the right thing with the issues before it.

However, some of the tougher issues that have not yet been resolved—for example, the substantially more open access that some shippers want—are not for the Board. They are for us, and they are real. But the fact that the railroads and those who use the system have a lot of ground to cover on these legislative issues should not hold up the Board's reauthorization. Legislative change is our job. The Board, working with the law we gave it, has done its job. I want to thank the Board in general, and Chairman Morgan in particular, who has my unqualified support, for a job well done. The Nation needs agencies like the Board and public servants like Chairman Morgan.●

THE RETIREMENT OF REPRESENTATIVE LEE H. HAMILTON OF INDIANA

● Mr. MOYNIHAN. Mr. President, I rise today humbled by the considerable accomplishments of a great friend and colleague, LEE HAMILTON of Indiana. After 17 terms, he will leave the House of Representatives at year's end. What a profound loss for us all.

Not surprisingly, LEE HAMILTON continues to be recognized for his achievements. Last Tuesday's New York Times quotes Congressman HAMILTON as ''feeling pretty good about the job'' he has held for 34 years. ''I have more confidence in the institutions of government and the Congress than most of my constituents. The process is often untidy, but it works.'' David S. Broder wrote in a column entitled ''Lee Hamilton's Mark,'' ''. . . no one will be more missed by his colleagues of both parties than LEE HAMILTON of Indiana . . . (h)e is an exemplar of the common-sense, instinctively moderate model of legislator that used to be common in Congress but is increasingly rare today.''

I had the honor of serving with Representative HAMILTON on the Commission on Protecting and Reducing Government Secrecy (1995–1997). Our Commission recommended unanimously that legislation should be adopted to govern the system of classifying and declassifying information, which for a half century has been left to executive regulation. The Congressional members of the Commission introduced such legislation in the House and Senate and one of my largest regrets for the 105th Congress is that we could not get this legislation adopted in honor of LEE HAMILTON's retirement. This will take some time, but eventually, surely, we will pass such a bill.

As the former Chairman of the Committee on Foreign Affairs, the Joint Committee on the Organization of Congress, the Select Committee to Investigate Covert Arms Transactions with Iran, and the Permanent Select Committee on Intelligence, LEE HAMILTON has showed an extraordinary capacity to lead our country through difficult times. Last year, LEE received the Edmund S. Muskie Distinguished Public Service Award from the Center for National Policy and, just last month, the Hubert Humphrey Award from the American Political Science Association.

I might note here that Hubert Humphrey was the first Chairman of the Board of Trustees of the Woodrow Wilson International Center for Scholars here in Washington. To our great benefit, LEE HAMILTON has just recently agreed to head the Wilson Center. He will assume his new post in January, succeeding the Center's distinguished director, Charles Blitzer. Dr. Blitzer's tremendous achievement—the building of a permanent home for the Wilson Center at the now complete Federal Triangle—fulfills the commitment to President Wilson's living memorial as established in its 1968 founding statute. That statute required that the Center be located on Pennsylvania Avenue. Today the Wilson Center can be found at One Woodrow Wilson Plaza on Pennsylvania Avenue where it maintains architectural and functional autonomy from its neighbor, the Ronald Reagan Building and International Trade Center.

It is of enormous comfort to this Senator to know that LEE HAMILTON will remain close at hand and continue to engage us all in matters of great import.

I ask that David Broder's column ''Lee Hamilton's Mark'' from The

Washington Post and the article, ''A Life Reflected in a House Transformed,'' by Melinda Henneberger in The New York Times be printed in the RECORD.

The article follows:

[From the Washington Post, October 11, 1998]

LEE HAMILTON'S MARK

(By David S. Broder)

He's not the oldest or longest-serving of the 21 House members who are retiring this year and not running for other offices. Those distinctions belong to two other Democrats, Illinois' Sidney Yates, the ardent defender of arts funding, and Texas's Henry Gonzalez, the populist scourge of bankers and other big shots.

He may not have had the political impact of a much more junior Republican retiree, New York's Bill Paxon, who led the 1994 campaign that ended 40 years of Democratic control of the House and who appeared to be on track to a future speakership until he fell out last year with his former ally Newt Gingrich.

But my hunch is that no one will be more missed by his colleagues of both parties than Lee Hamilton of Indiana, who is ending a notable 34-year career in the House with the adjournment of this Congress.

Hamilton is a throwback to the old days of the House—and not just because he still has the crew cut he wore when he came to Washington as a small-town Hoosier lawyer in the Democratic landslide of 1964. He is an exemplar of the common-sense, instinctively moderate model of legislator that used to be common in Congress but is increasingly rare today.

Hamilton has made his mark in two areas unlikely to produce public acclaim. Like his mentor and friend, former representative Morris Udall of Arizona, he has struggled with modest results to improve the internal organization and operations of the House and the way its members pay for their campaigns. More notably, he has been the Democrats' leader on international policy, serving as chairman of the Foreign Affairs Committee when his party had the majority. In both arenas, he has consistently placed principle above partisanship and worked comfortably with like-minded Republicans.

He first attracted attention in 1965 when, as chairman of the big freshman Democratic class, he wrote President Lyndon Johnson urging ''a pause'' in the breakneck pace of Great Society legislation, the first clear signal that Johnson has pushed the mandate of his election sweep beyond safe political limits. Johnson came to Indiana to help Hamilton with his first—and hardest—reelection campaign in 1966, but the following year, Hamilton again demonstrated his independence—and his prescience—by sponsoring one of the first (but unsuccessful) amendments to scale back American military operations in Vietnam.

As Hamilton recalled in a speech last November, Johnson had been a friend as well as his ally. ''He had the freshman class in the Cabinet Room and told us, 'Buy your home.' He said, 'If you're like most politicians, it'll be the only decent investment you'll ever make.' I did, and it was.''

But after the Vietnam amendment, Johnson called him in. ''I will never forget his eyes when he asked me, 'How could you do that to me, Lee?' '' Hamilton recalled. ''I have served with eight presidents and 11 secretaries of state, and I have sympathized with the burdens and pressures all of them have faced.'' But he has operated on the principle that if Congress is to meet its responsibilities, it must offer its best and most candid counsel to an administration. ''Our great fault,'' he told me, ''is timidity. We don't like to stick our necks out.''

That has not been true of Lee Hamilton. He has given his best judgment freely and plainly, usually supportive of the president, but has never been reluctant to dissent.

In his final months in office, Hamilton received the Edmund S. Muskie Distinguished Public Service Award from the Center for National Policy and the Hubert Humphrey Award from the American Political Science Association. Accepting the first award, he said, ''Politics and politicians may be unpopular, but they're also indispensable. . . . Representative democracy, for all its faults, enables us to live together peacefully and productively. It works through a process of deliberation, negotiation and compromise—in a word, the process of politics. At its best, representative democracy gives us a system where all of us have a voice in the process and a stake in the product.''

Hamilton understands that ''when healthy skepticism about government turns to cynicism, it becomes the great enemy of democracy.'' So his new career will position him to battle for understanding of politics and against corrosive distrust. He will head the Woodrow Wilson International Center for Scholars in Washington, where academics from other nations gather with Americans to think and write about contemporary public policy problems. He will also lead a newly formed Center on Congress at Indiana University, an interdisciplinary program aimed at making the legislative branch less mysterious and suspicious. He is the right man for both jobs.

[From the New York Times, Oct. 13, 1998]

A LIFE REFLECTED IN A HOUSE TRANSFORMED

(By Melinda Henneberger)

WASHINGTON, Oct. 12.—As he waits for the last votes of his 34-year Congressional career, Democratic Representative Lee Hamilton runs one hand through his crew cut and thinks out loud, in his right-down-the-middle way, about why the House is both meaner and cleaner, more hard-working and less thoughtful, than when he arrived here from Columbus, Ind., in 1965.

In those days, he recalls, members of Congress palled around, played cards and made a good-faith effort to be on the golf course by 1 P.M. Now they barely have time to get to know one another, let alone contemplate the meaning of legislative life, in the press of 24-hour news cycles and three-day work weeks bracketed by rush-rush trips home.

Back then, you could legally accept fancy gifts and pocket leftover campaign money when you retired. Even if you managed to get into trouble, there was no House ethics committee until 1978. Then again, neither was there any need to work full time raising money. Mr. Hamilton is nostalgic about the $30,000 he spent as a small-town lawyer on his first race in 1964, the year of Lyndon B. Johnson's landslide. He spent $1 million on his last race in 1996.

In his office, the Congressman's papers are already being packed up, and the mail marked ''return to sender.'' Settling in for a leisurely interview, the 67-year-old Indiana Basketball Hall of Famer drapes his large frame over a straight wooden chair in a room adorned with paintings of his dogs, Tawny and Buffy.

The politically moderate son of a Methodist minister from Evansville, Ind., he has been a major force on foreign policy and led opposition to aid for the Nicaraguan contra guerrillas. He was House chairman of the panel that investigated Reagan Administration support for the contras with the proceeds of illegal arms sales to Iran, and also chaired the Foreign Affairs and Intelligence Committees. The Presidential nominees Michael S. Dukakis and Bill Clinton seriously considered him as a running mate.

Yet when invited to linger for a moment over some favorite accomplishment, he mentions, not very grandly, that he was proud simply to have been among those who voted for the creation of Medicare, even if he did not write the bill.

Despite his talk about 1960's sociability on the Hill, Mr. Hamilton seems always to have put in long hours. A 1966 profile in The Washington Star noted that, ''Hamilton gets to the office every morning at about 6:30, reads all the mail, answers nearly all the roll calls, and has missed going back home on weekends only a couple of times since he took office. He doesn't drink and he doesn't smoke and he works hard.''

He has been enormously popular in the Ninth District in southeastern Indiana. (He is also popular among his staff in a workplace in which aides are often treated casually. Behind his back, staff members are misty about his retirement.)

''I've been going to a lot of retirement dinners back in Indiana,'' he said, ''and the things people remember are the simple things, that I've tried to be accessible and honest and tried to make government work. When I drive through my district and see a sewage system or a library or a school I've had something to do with, that gives me a lot of satisfaction.''

And most likely, this unwillingness to trumpet his career and contributions would have set him apart at any moment in the history of the big, noisy institution he clearly loves.

On the other side of the ledger, Mr. Hamilton said, ''You don't walk away from a 34-year career without some regrets, and I leave very disappointed that we haven't done something on campaign finance or affordable health care.''

Not surprisingly, his most immediate regret is what he sees as the necessity of an inquiry into the possible grounds for impeaching the President, a man he has praised on policy and excoriated for the private conduct that got him into trouble.

''It's a depressing way to end a career, on the note of impeachment,'' he said, removing his glasses, fiddling with them, putting them back on. ''I'm distressed with the ending, but you don't control these things.''

Still, living through Watergate and Iran-contra, Mr. Hamilton said, has given him some perspective on the current situation: ''We look back now and say the system worked in Watergate but in the middle of it, it was messy and partisan. And something like that is happening now, in my view.''

How does he answer those in his own party who respond to criticism of Mr. Clinton's behavior by saying essentially that President Reagan did far worse and survived? ''In Iran-contra you were looking at a President abusing the powers of the Presidency''—as opposed to the personal conduct under discussion in the Clinton case, in his view. ''But though a lot of people on the left were disappointed we didn't hang him, the evidence didn't point to that.''

Mr. Hamilton was among the 31 Democrats who broke party ranks and voted for an open-ended impeachment inquiry. He thought it only right to continue the process, he said, though he has concluded that the President's wrongdoing does not meet the constitutional standard of an impeachable offense and believes Mr. Clinton will finish his term.

And as Mr. Hamilton leaves office, he wants to spend some time thinking about how the President might be rehabilitated to assure that America is not weakened, particularly on the international stage.

Mr. Hamilton's future includes two new jobs, as director of the Woodrow Wilson Center in Washington, a Government-sponsored

institution that promotes research as well as exchanges between scholars and policymakers, and of a new center for the study of Congress at Indiana University. He and his wife, Nancy, will stay on here, in their home in Alexandria, Va.

Not only Congress, he said, but political life in general is a different game now than it was in 1960, when Mr. Hamilton was unable to turn out a respectable crowd to greet Senator John F. Kennedy in Columbus.

''I called everybody I knew and couldn't get 40 people to come out to the Old City Hall to see him just a few months before he got the nomination'' for the Presidency, he said, laughing at the innocence of the time. ''Now you start running for President four years ahead of time and the voters are so well informed, you do something and get back to the office and the phones are already ringing.''

Not all of that sophistication is progress, he said. He dared to say what no candidate would: that today's elected officials pay too much attention to constituents, tracking every hiccup in public opinion.

In some ways, he feels he is leaving on the same note he came in on: ''We're still fighting about Medicare 30 years later.'' But there has been positive change, he said, in that the workings of Congress are much more open now, and the body more truly representative, with many more women and members of minority groups in office. If he has learned anything, he said, it is the difficulty of making representative government work.

He has for some time now missed the collegiality of his early years in Washington, when a senior Republican corrected a glaring parliamentary error Mr. Hamilton had made on a bill the man opposed—an act of generosity that he said would be unimaginable today.

He will miss his colleagues, too. And if he has not fully focused on his feelings about leaving, because there has not been time, Mr. Hamilton exits feeling pretty good about the job: ''I don't leave as a pessimist. I'm not gloomy because I have more confidence in the institutions of government and the Congress than most of my constituents. The process is often untidy, but it works.''●

ERIN POPOVICH

● Mr. BAUCUS. Mr. President, Butte, Montana has a long history of excellence in sports and the cultivation of champions. On Sunday, October 11, 1998 in Christchurch, New Zealand, a young champion from Butte won a gold medal in the 200-meter individual medley at the Paralympic World Swimming Championships. At age 13, Erin Popovich obtained a gold medal with her personal best time of 3:32.45, shattering her previous mark of 3:37.18 which had been a world record.

On Thursday, October 15 Erin significantly added to her trophy case by winning gold medals in the 50-meter freestyle and 50-meter butterfly races. The Butte Central Junior High 8th Grader improved on her United States record time in the 50-meter butterfly with a time of 45.63. She also recorded a personal best in her 50-meter freestyle with a time of 37.54. In the freestyle Erin was in second place until the final 4 meters when she went on to win the gold. Erin also won a bronze medal in the 100-meter freestyle and helped win a gold for the women's 200-meter team freestyle relay.

The most amazing aspect of this is that Erin only started competitively swimming 10 months ago when she joined the Butte Tarpons Swim Club, under the direction of Swim Coach Marie Cook and Assistant Coach Bill Sever. She is a natural athlete, but her true strength lies in her dedication. ''Her determination is her strength,'' Coach Cook says. ''Her mental attitude is just tough.'' Erin's focus provides an excellent example for her teammates, Coach Cook says. ''The kids on this team don't think of her as disabled . . . when she gets on the blocks with taller kids you can see it—she's such an inspiration to everyone.''

Erin, who is the daughter of Dr. Keith and Barbara Popovich, is only one of 30 swimmers to qualify for the United States Disabled Team. The Paralympics features 585 swimmers from 55 countries.

I want to join with her family and friends and all the Butte Tarpon Swimmers in congratulating Erin on her tremendous success. Erin has proven herself as a World Champion and as one of Butte, Montana's finest.●

TRIBUTE TO REGINA WOODWARD NICKLES

● Mr. MCCONNELL. Mr. President, Kentucky suffered a grievous loss last week when law enforcement officer Regina Nickles of Harrodsburg, Kentucky was shot and killed, in the line of duty, early Wednesday morning as Officer Nickles and her partner were responding to a call reporting a man sneaking around the parking lot of a Harrodsburg factory. She was 45 years old.

Born in Cincinnati, Ohio, Regina Woodward Nickles grew up in Boyle County in Central Kentucky. She went to high school in Danville and then attended Eastern Kentucky University. In 1983, at the age of 29, Officer Nickles became the first—and remains the only—woman to ever serve on the Harrodsburg Police force. When she was profiled in the local newspaper in 1983, she said, ''I want to do the best job that I can, and I still feel like I have to prove myself because I'm a woman. I don't want to let these men down who had enough confidence in me to hire me.''

In a town as small as Harrodsburg—population 8000—all the officers are well known. And Officer Nickles was particularly well regarded. She was known in the community as a peacemaker, an officer with a special talent for resolving disputes before they became violent. She is remembered as kind and caring, known for pulling over motorists, giving them a stern warning and sending them on their way. But she could also be tough when called for, and had the respect of the community and all of her fellow officers.

Reflecting the the goodwill that she had built up in Harrodsburg over her career, Officer Nickles was recently nominated as the Republican candidate for sheriff in the November elections. A remarkable reflection of the rapport she had with the community is the fact that several people who had once been arrested and jailed by Officer Nickles have said that they still intended to vote for her because of the way she had treated them.

The murder of Officer Nickles has left the Harrodsburg community in a state of shock. Much like our small Capitol Hill community was devastated by the murders of Officer J.J. Chestnut and Detective John Gibson, the residents of Harrodsburg are asking how this could happen in their small town. As we are painfully aware, no community is immune from such heinous acts.

Mr. President, Officer Regina Woodward Nickles leaves behind an extended family that must now cope with an unimaginably horrific loss. Officer Nickles will also be mourned by the tight-knit Harrodsburg community in which she was such a valued participant.

When Officer Nickles announced her candidacy for Sheriff, she elaborated on her motivation for pursuing the position. ''I want to do more than wear a badge and a gun,'' she observed. ''I want to touch people's lives.'' Officer Nickles didn't need to be elected sheriff to do that. It is abundantly clear that she had touched many people during her too-brief life, and she will be sorely missed.●

REPUBLICAN OBSTRUCTION OF PATENT REFORM LEGISLATION

● Mr. LEAHY. Mr. President, I have long been involved in high technology issues and those affecting American industry that relies on intellectual property at its core. Over a decade ago, I helped establish and chaired a Judiciary Committee Subcommittee on Technology and the Law. This year, we have successfully completed work on legislation to address the impending millennium bug with the Senate and House adopting the Hatch-Leahy substitute for S. 2392, the Year 2000 Information and Readiness Disclosure Act.

I have also worked closely with Senator HATCH on a number of other intellectual property measure including the Digital Millennium Copyright Act, H.R. 2281, the Trademark Law Treaty Implementation Act, S. 2193, and the United States Patent and Trademark Office Reauthorization Act, H.R. 3723. Working with Senators DASCHLE, BINGAMAN, BOXER, HARKIN, KOHL and others, we have been able to put the interests of the nation and the nation's economic future first and enact significant legislation with respect to both copyright and trademark matters this year. Unfortunately, we have not made the progress that we should have on patent matters.

A critical matter from the intellectual property agenda, important to the nation's economic future, is reform of our patent laws. I have been working diligently along with Senators

DASCHLE, BINGAMAN, CLELAND, BOXER, HARKIN and LIEBERMAN to get the Omnibus Patent Act, S. 507, considered and passed by the Senate. It is an important measure to America's future. Working in tandem with Senator HATCH, we developed a good bill that was reported to the Senate by a vote of 17 to one over a year ago.

We have been seeking Senate consideration and a vote for more than a year, but Republican objections have prevented its passage. Last month, I signed on to offer our patent bill as an amendment to the bankruptcy bill. I felt strongly that it was long past time for the Senate to consider this patent reform legislation. Unfortunately, Republican opposition, again, prevented Senate consideration and prevented the amendment from even being offered.

I deeply regret that Republican objections succeeded in preventing Senator HATCH from even offering our amendment, in spite of the amendment spot that we had reserved for that purpose. I know that there is strong support for this measure and I know that no Senate Democrat has been preventing or objecting to its consideration.

Anonymous Senate Republican have prevented the patent bill from being given the opportunity to be debated. This is not the way for the Senate to act. Republican objections killed patent reform silently, without fingerprints, and without debate.

I want to thank Secretary Daley and the Administration for their unfailing support of effective patent reform. Our patent bill would be good for Vermont, good for American innovators of all sizes, and good for America. Unfortunately, some secret minority of Senate Republicans will not allow patent reform to proceed.

The patent bill would reform the U.S. patent system in important ways. It would reduce legal fees that are paid by inventors and companies; eliminate duplication of research efforts and accelerate research into new areas; increase the value of patents to inventors and companies; and facilitate U.S. inventors and companies' research, development, and commercialization of inventions.

Republican and Democratic Administrations alike, reaching back to the Johnson Administration, have supported these reforms. Last year, five former Patent Commissioners sent a letter to the President and to the members of the Senate supporting the patent reform bill.

Senator HATCH and I agreed to incorporate suggestions from the White House Conference on Small Businesses and I am pleased to report that as a result, the White House Conference on Small Businesses, the National Association of Women Business Owners, the National Venture Capital Association, National Small Business United, and the Small Business Technology Coalition concluded that the bill would be of great benefit to small businesses.

Unfortunately, because of Republican opposition to this bipartisan bill, the Senate will have no opportunity to consider this legislation to assist U.S. inventors small and large. I find this particularly unfortunate since our patent bill was geared toward improving the operational efficiency at the PTO and making government smaller and leaner.

Today's inventors and creators can be much like those of THOMAS Jefferson's day—individuals in a shop, garage or home lab. They can also be teams of scientists working in our largest corporations or at our colleges and universities. Our nation's patent laws should be fair to American innovators of all kinds—independent inventors, small businesses, venture capitalists and larger corporations. To maintain America's preeminence in the realm of technology we need to modernize our patent system and patent office. Our inventors know this and that is why they support this legislation.

I have received many letters of endorsements for S. 507, some of which I placed into the CONGRESSIONAL RECORD on June 23, July 10 and July 16, from the following coalitions and companies: the White House Conference on Small Businesses, the National Association of Women Business Owners, the Small Business Technology Coalition, National Small Business United, the National Venture Capital Association, the 21st Century Patent Coalition, the Chamber of Commerce of the United States of America, the Pharmaceutical Research and Manufactures of American (PhRMA), the American Automobile Manufacturers Association, the Software Publishers Association, the Semiconductor Industry Association, the Business Software Alliance, the American Electronics Association, the Institute of Electrical and Electronics Engineers, Inc., the Biotechnology Industry Organization, the International Trademark Association, IBM, 3M, Intel, Caterpillar, AMP, and Hewlett-Packard. In addition, I have letters of support from the National Association of Manufacturers, TSM/Rockwell International, Obsidian, and Allied Signal.

I am deeply disappointed that the Senate is being prevented from considering this important legislation by Republican recalcitrance. American inventors deserve better and America's future is being short changed.●

IMMIGRANT NOBEL PRIZE WINNERS

● Mr. ABRAHAM. Mr. President, I would like to bring to the attention of my colleagues a recent article in the Washington Times dealing with the large proportion of Nobel Prize winners in the United States who are immigrants. As reported in this article, while only approximately 8 percent of the American population was foreign-born as of 1990, approximately one third of American winners of the Nobel Prize have been immigrants.

The Times also reports that, according to the National Research Council, ''immigrants have won 32 percent of the U.S. Nobel Prizes for physics, 31 percent of the medicine and economics prizes, and 26 percent of the chemistry prizes.'' This year, Austrian-born American Walter Kohn won the Nobel Prize for Medicine and Daniel Tsui, born in China, won the Nobel Prize in Physics as a naturalized American.

Mr. President, I believe every American should take great pride in these gentlemen's accomplishments. By keeping American society free and open we attracted them to our borders. Through our willingness to seek out and hire the most talented people available we gave them the opportunity to excel. By rising above considerations of national origin and family background all of us have benefitted from the discoveries, the intelligence and the hard work of literally millions of immigrants—from my own grandparents to the ancestors of our Founding Fathers to the latest immigrant, intent on making a better life for himself and his family.

I ask that the full text of the article from the Washington Times be printed in the RECORD.

The article follows:

[From the Washington Times, Oct. 17, 1998]

IMMIGRANTS HELP U.S. BRING HOME NOBEL BACON

(By Ruth Larson)

This week's announcement of the Nobel Prizes for science continued America's longstanding dominance of the prestigious awards, thanks in large part to a wealth of foreign-born talent.

A National Research Council report last year found that about a third of all U.S. Nobel Prizes were won by scientists born overseas. Immigrants have won 32 percent of the U.S. Nobel Prizes for physics, 31 percent of the medicine and economics prizes, and 26 percent of the chemistry prizes.

Although the report does not state where the immigrants were born, the last 16 winners since 1987 have come from places like Austria, Germany, Switzerland, Hungary, Canada, Mexico and Korea.

''There's no doubt about it: Immigrants represent a very high proportion of Nobel Prize winners,'' said Cato Institute economist Stephen Moore.

The number of foreign-born Nobel Prize winners is all the more striking, given that the U.S. foreign-born population reached just 8 percent in 1990, the report said.

The Nobel Prizes, considered the ultimate symbols of scientific achievement, show how America in the 1990s has become a high-tech melting pot, recruiting science and engineering talent from around the world to fuel the growth of industries from computers and electronics to pharmaceuticals and biotechnology.

In 1993, 23 percent of those holding science and engineering doctorates were born overseas, according to the National Science Foundation's latest figures.

Shirley Malcom of the American Association for the Advancement of Science, said, ''The best and the brightest come here because there has been a tremendous research establishment built up in this country.''

Mr. Moore agreed: ''If you're one of the world's top scientists, you want to be at Stanford or Harvard or MIT, where they have some of the bsst academic research facilities.

History has helped, too. Obviously, World War II played a major role, with many of the

more repressive regimes discriminating against scientists of a particular heritage or background,'' Ms. Malcom said.

''In many cases, scientists had no choice but to leave. They came to the U.S. because they were offered opportunities to pursue their life's work without regard to those extraneous issues.''

Roald Hoffman, a 1981 winner of the Nobel Prize for chemistry, fled with his family in 1949 from their native Poland.

''I was one of the last generations of Hitler's gifts to America,'' he said.

A wave of Central European scientists, including physicists Albert Einstein and Enrico Fermi, fled the rise of Nazism and anti-Semitism and came to America.

The scientific research structure established after World War II flourished, with the help of a strong economy and generous government funding from agencies like the National Science Foundation and the National Institutes of Health, he said.

''The freedom to do the scientific research you want . . . is tremendous, as is the ease of interaction with other scientists,'' Mr. Hoffman said. Success then breeds success: ''Once you have built up a good reputation in a particular area, it attracts other scientists, as we've seen in the biomedical field.''

Ms. Malcom predicted that a similar influx of scientists fleeing the former Soviet Union would be reflected in future Nobel winners. ''Not just because of the Cold War, either,'' she said. ''They've lost much of the infrastructure needed for research and development, as well.''

But wars and repressive regimes cannot account for the success of immigrants once they arrive on American soil.

''We're getting people with the motivation and ambition that leads to high achievement,'' Mr. Moore said. ''There's a certain amount of risk-taking associated with success.''●

ENACTMENT OF THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

● Mr. BRYAN. Mr. President, it is with great pleasure that I rise today to announce the enactment of the Southern Nevada Public Land Management Act. This historic legislation passed the Senate on October 8th and President Clinton signed it into law on October 19, 1998.

Mr. President, this legislation has its roots in the Southern Nevada Public Lands Task Force. The Task Force was originally established in the summer of 1994 by Congressman Jim Bilbray to provide an open forum in which public land issues affecting the Las Vegas Valley could be discussed among federal, state, local, and private entities. It is comprised of representatives from the State of Nevada, Clark County, the cities of Las Vegas, North Las Vegas, and Henderson, the Bureau of Land Management, the Forest Service, the National Park Service, the Fish and Wildlife Service, the Southern Nevada Water Authority, the Regional Flood Control District, the Clark County School District, and representatives of the development and environmental communities.

At its inception, the Task Force set two primary goals for itself: (1) to establish and maintain a better working relationship between the BLM and local governmental planning agencies; and (2) to develop a ''master plan'' for the Las Vegas Valley that identified those BLM lands which should be transferred to private ownership and those which should be retained for public purposes.

In the summer of 1995, Senator REID and I reconvened the Task Force to build on the goal of developing a ''master plan'' for the Las Vegas Valley. We worked closely with the Task Force in our efforts to develop a legislative proposal that sought to improve the current BLM land disposal policy in the Las Vegas Valley; this proposal eventually became the Southern Nevada Public Land Management Act, which Senator REID and I introduced in the Senate on March 19, 1996. Congressman ENSIGN then introduced a companion bill in the House, and I have enjoyed working with him in a bipartisan fashion over the last several years to fine tune this legislation and shepherd it through the Congress.

The Southern Nevada Public Land Management Act is a response to perhaps the greatest challenge facing Southern Nevada—the need to promote responsible, orderly growth in the Las Vegas Valley while protecting the surrounding environment and enhancing the recreational opportunities that exist in Southern Nevada. In the broadest sense, the legislation reflects a partnership between federal, state, and local entities to enhance the quality of life in the Las Vegas Valley and throughout the State of Nevada.

As many of my colleagues are aware, the Las Vegas valley is the fastest growing metropolitan area in the country. Since the beginning of this decade, nearly five thousand people each month, on average, have chosen to make Las Vegas their new home. Last year alone, nearly 20,000 new homes were built in the Las Vegas valley to accommodate this explosive growth. And while the majority of Southern Nevadans have welcomed the benefits of an expanding, robust economy, there is a realization within the community that a long-term, strategic plan must be developed to deal with growth related problems.

Both State and local elected officials are currently grappling with different ideas as to how best to meet the infrastructure needs and quality of life expectations of current and future generations of southern Nevadans. Local officials estimate that new infrastructure development over the next ten years will cost between three and eight billion dollars for such things as school construction and water, sewer and transit systems. To give you an idea of the magnitude of the situation, the Clark County School District needs the equivalent of a new elementary school every 30 days for the next five years to keep pace with the twelve thousand new students entering the school system every year.

Mr. President, this legislation is a critical component of Southern Nevada's long term plan to manage growth in the Las Vegas valley. Each time the BLM transfers land into private ownership it has important repercussions for the local governmental entity that must provide infrastructure and services to that land. The Bureau of Land Management (BLM) controls in excess of 20,000 acres of land throughout the Las Vegas valley. Consequently, unlike most communities, land use planning decisions are not made solely at the local level; the BLM is an important player in the local land use planning process. This legislation would strengthen the partnership between the BLM and local government and improve upon the current land use planning process.

The BLM's primary method of disposing of land in the Las Vegas valley, through land exchanges, has been the subject of much attention over the past several years. I happen to believe that land exchanges serve a valuable public purpose—the Federal Government disposes of land it no longer needs in exchange for land that is worthy of public ownership. In the Las Vegas valley, however, the real estate market is such that it does not lend itself well to appraisal-driven land exchanges. Disagreements between the BLM and exchange proponents over appraisal methodology and value determinations are often the cause of protracted delays in the land exchange process. Because of the dynamic nature of the real estate market in the Las Vegas valley, any delay in the exchange process can cause the appraisals to become outdated before the transaction is closed.

Mr. President, the legislation before us today would make two significant improvements over the current land exchange process: (1) it would allow local land managers to take a more pro-active role in federal land disposal decisions; and (2) it would institute a competitive bidding procedure to ensure that the disposal of BLM land yields the highest return, or true ''fair market value.'' There are currently over twenty-five land exchange proposals pending in the BLM's Las Vegas office—some are clearly in the public interest, others are not. The vast majority of these proposals are intra-state exchanges, meaning the BLM has the authority to process them without Congressional action. This legislation would open the process to allow anyone who wishes to bid on BLM land to do so in a competitive sale, and it would eliminate the need to enter into protracted appraisal negotiations over selected BLM land that so often bog down the already cumbersome exchange process. The legislation stands for the same proposition as the current land exchange process—the sale of federal land in the Las Vegas Valley should be used as a means of protecting environmentally sensitive land throughout the State of Nevada and of enhancing the use of public land recreational areas in Southern Nevada.

At the conceptual level, the legislation represents a synthesis of two previously enacted public land bills that specifically address public land management issues in Southern Nevada—the Santini-Burton Act and the Apex land transfer legislation. You may recall that the Santini-Burton Act, which was enacted in 1980, authorized the sale of BLM land in Las Vegas to fund the acquisition of environmentally sensitive land in the Lake Tahoe basin. Our legislation embodies a similar proposition—the sale of federal land in the Las Vegas Valley should be used as means of protecting environmentally sensitive land throughout the State of Nevada and of enhancing the use of public recreational areas in Southern Nevada. With nearly 5,000 new residents moving into the valley each month, it is imperative that we protect our open spaces around the valley from development and expand recreational opportunities for the public in order to maintain the quality of life we have come to expect in Southern Nevada.

Also in keeping with Santini-Burton, our legislation recognizes that land use planning decisions are best made at the local level, so our proposal gives local government an equal voice in deciding when and where federal land sales should occur in the valley. The map referenced in section 4 of the bill would establish a boundary for future BLM land sales and exchanges in the Las Vegas Valley, and combined with other components of the bill, it would serve as the blueprint to assist us in designing public land policy for the 21st century. The map essentially represents the maximum build-out boundary for the valley; it was generated in close consultation with local governmental planning agencies and other members of the Task Force to reflect their vision for future growth and development in the valley. It is important to note that virtually all of the BLM land recommended for sale or exchange under this bill has already been identified for disposal by the BLM under the existing Management Framework Plan for the Las Vegas Valley. In fact, our legislation would reduce the overall amount of land available for disposal in the valley.

The Apex land transfer legislation, enacted in 1989, transferred over 20,000 acres of BLM land just outside the Las Vegas Valley to Clark County for the development of a heavy-use industrial site. When the land is improved and eventually sold by Clark County to a private entity, the revenue sharing provisions of the act allow Clark County recover the value of the infrastructure improvements it has made to the land before providing the federal government with its share of the proceeds from the sale. The legislation before us today recognizes the same principle—that the presence or proximity of local governmental services and infrastructure increases the value of federal land. Consequently, our legislation would direct a portion of the proceeds of federal land sales to local government to assist with local infrastructure development and to the state for the benefit of the general education program.

Another important component of this legislation that I want to highlight today is involves affordable housing. This legislation will also make BLM land available throughout the State of Nevada to local public housing authorities for the purpose of developing affordable housing. There is currently a tremendous need in Los Vegas and Reno, and also in other communities throughout the state, for raw land to develop affordable housing projects. The BLM will now be able to assist each of these communities in meeting this important need.

In closing, Mr. President, I want to acknowledge those members of the Public Land Task Force that played such an important role in the development of this legislation. Thanks go to Mike Dwyer of the BLM, Jim Tallerico and Alan Pinkerton of the Forest Service, Alan O'Neill and Bill Dickensen of the Park Service, and Ken Voget of the Fish and Wildlife Service. Thanks also go to State Senator Dina Titus, Pam Wilcox of the State Land Use Planning Agency, Rick Holmes, Jeff Harris, and Ron Gregory of Clark County, Pat Mulroy of the Las Vegas Valley Water District, Robert Baggs of the City of Las Vegas, Steve Baxter of the City of North Las Vegas, John Rinaldi of the City of Henderson, Gale Fraser of the Flood Control District, Dusty Dickens of the School District, Randy Walker and Jacob Snow with the Clark County Department of Aviation, and also Bob Broadbent, the former Director of the Aviation Department. A number of citizens representing the environmental community provided invaluable assistance; they include Jeff Van Ee, Lois Sagel, John Hiatt, Bob Maichle, and Steve Hobbs. From the development community thanks go to Robert Lewis, Bob Campbell, Scott Higginson, Mark Brown, and Jeff Rhoads. And finally, I want to thank Marcus Faust for all of his hard work on behalf of Clark County.

Finally, Mr. President, I want to thank two members of my staff, Brent Heberlee and Sara Besser, for all of their work related to this legislation.

I believe this legislation will make great strides toward improving public land management policy in Southern Nevada, and I look forward to continue working with all interested parties as this legislation is implemented.●

LIEUTENANT WILLIAM JAMES LENAGHAN II RETIRES FROM CANTON TOWNSHIP POLICE DEPARTMENT

● Mr. ABRAHAM. Mr. President, I rise today to honor Lieutenant William James Lenaghan, II, who is retiring from the Canton Township Police Department in the state of Michigan after 20 years of dedicated service.

Lieutenant Lenaghan joined the Canton Township Police Department after serving in various governmental jobs. He started his career in 1962, when he joined the United States Navy. He was stationed at the Naval Air Station in Grosse, IL, where he was assigned as a Fire Fighter Instructor. After serving in the military, he began his police officer career as a patrolman. He served in this capacity as well as Special Investigator, Arson Investigator, a member of the Tactical Response Team, Narcotics/Intelligence Team Commander and Instructor for five years in the Michigan cities of West Bloomfield and Redford Township. Next, he became a Special Agent in the United States Treasury Department Bureau of Alcohol Tobacco and Firearms (BATF) where he fulfilled the duties of Instructor and Arson Explosives Team Member. As the burden of traveling with three small children at home became too much, he left his position at the BATF and went to work for Bloomfield Township Police/Tri Cities Fire Department. Here, he continued to expand his experience by becoming Fire Marshal, Tactical Team Officer and Arson Team Member. Longing to once again work for the United States Government, he went to work for the United States Department Bureau of Customs in Detroit, Michigan. Among the many duties that he partook in, he was a Patrol Supervisor and Intelligence Liaison with DEA. In 1978, he began his final expedition as a sergeant for the Canton Township Police Department. Beginning his career as a patrolman, he climbed the ranks to eventually become Senior Lieutenant. While advancing his record as a civil servant, he also took on the responsibilities of shift commander, Emergency Preparedness Director and Community Policing Coordinator.

Throughout his career, Lieutenant Lenaghan has received a great deal of recognition for his excellent service. One example that did not go unrecognized was an event occurring on June 23, 1984. While attending to his own responsibilities, he extended much needed aid to help out a fellow officer who was struggling with a mentally deranged person. Responding to the scene, he assisted by providing physical support bringing the subject under control. His actions undoubtedly prevented further injury to his fellow officer and prevented further danger to the citizens in the area. His decisions ad judgements were certainly a credit to himself and his department. This brave act is only one example of the many citations he has received over his career.

With over 30 years' experience in public safety and law enforcement at the local and federal levels, Lieutenant Lenaghan has provided quality leadership in public safety management. His extensive training in police, emergency, fire protection, and supervision enabled him to perform multi-level tasks essential to the efficient operation of public safety and police department duties.

On behalf of his wife Lois of 31 years, his seven children, his seven grandchildren, the State of Michigan and myself, I would like to take this opportunity to acknowledge his excellent service, dedication, winning personality and commitment to those with whom he worked. Again, I extend my warmest congratulations to him on his retirement.●

TRIBUTE TO JESSIE TRICE

● Mr. GRAHAM. Mr. President, I rise today to salute one of Florida's most dedicated health care service providers. On October 17, 1998, the Economic Opportunity Family Health Center of Miami both honored and said farewell to their President and CEO, Ms. Jessie Trice. Ms. Trice's retirement concludes a career of more than thirty years devoted to the improvement of health care services in under privileged communities throughout both Florida and the nation. She is a true humanitarian, and has been locally and nationally recognized for her tireless advocacy on behalf of the affordable and accessible services primary care centers provide vulnerable populations. Because of her efforts, these centers have garnered support at all levels of government, and they remain a vitally important force in the health care continuum of needy communities.

Jessie Trice is both a community leader and policy maker. Her distinguished resume includes positions as Public Health Nurse Supervisor and Chief of Nursing Services at the Dade County Department of Public Health, Executive Director of the Visiting Nurses Association, and Assistant County Nursing Director of the Children and Youth Project. Her service as the Chairwoman of the Health Choice Network, Inc., the Screening Committee of the National Association of Community Health Care Centers, and the Legislative Committee of the Florida Council of Primary Care Centers, as well as her membership on the Board of Directors of the Primary Care Centers, Inc., are a testament to her superb leadership abilities.

In 1970, President Richard Nixon recognized Ms. Trice's outstanding contributions and proven expertise in this field by appointing her to serve as a delegate to the White House Conference of Children. She was named Florida Nurse of the Year in both 1972 and 1984, and made Distinguished Honoree by the Academy of Black Women in the Health Professions. She has been named to the lists of ''Who's Who'' for Health Care Professionals, American Women, and American Business Leaders.

Mr. President, the list of those who support and admire the work of Jessie Trice is long and distinguished. I am grateful for the work she has done on behalf of the state of Florida, and I ask my colleagues to join me in extending my congratulations for her thirty years of service in the field of health care services. May her examples of dedication and hard work continue to be of inspiration to others.●

NATIONAL BLUE RIBBON SCHOOL

● Mr. ABRAHAM. Mr. President, I rise today to honor a tremendous accomplishment. Middle School South in Harrison Township, Michigan, has been selected as a Michigan Exemplary School and a National Blue Ribbon School for 1997–98.

Middle School South of the L'Anse Creuse Public Schools, was one of two schools in the State of Michigan bestowed the honor of National Blue Ribbon School by the U.S. Department of Education. This selection is a tribute to the time and effort that the parents, administrators, teachers and students have put into building an excellent learning environment. This prestigious award demonstrates what hard work and commitment can produce.

Again, congratulations to all the teachers and students at South Middle School and the entire L'Anse Creuse Public School District. This is a distinguished award, and they deserve it. I wish them continued prosperity, and many more years of success.●

CONFERENCE REPORT FOR S. 1260, THE SECURITIES LITIGATION UNIFORM STANDARDS ACT

● Mr. LEAHY. Mr. President, the House has now passed the Securities Litigation Uniform Standards Act of 1998. The premise for this federal law is a workable and protective federal standard. Throughout the legislative process, we have been careful to ensure that the pleading standard rules developed by the United States Court of Appeals for the Second Circuit would continue to govern. The Administration, the Securities and Exchange Commission and Congress, which have worked together on this legislation, have all agreed on that standard. As the Conference Report and Statement of Managers makes clear, the recklessness standard and Second Circuit pleading rules continue in force. Indeed, the managers reiterated that the 1995 Private Securities Litigation Reform Act reinforced these standards, which continue to govern under the 1998 Act, as well. As a member of the Judiciary Committee and serving now as its ranking member, I am well aware that artificially high pleading standards could create unwanted and unneeded barriers to legitimate cases. That is not the intent of this legislation and should not be its effect.●

COMMENDATION TO THE CURATOR OF THE CAPITOL, BARBARA WOLANIN

Mr. BROWNBACK. Mr. President, I rise to recognize the tremendous work accomplished by Barbara Wolanin, the Curator of the Capitol, in preparing the excellent book on the art in the Capitol created by Constantino Brumidi. The Curator did a magnificent job writing and editing the many articles and photographs which depict the works of the Italian artist, Constantino Brumidi, who was the principal artist of the Capitol. The book was compiled under the direction of the Architect of the Capitol, and Dr. Wolanin had the assistance of many of her colleagues and fellow employees in the Curator's office. So I would like to commend them all on the excellent quality of this book which will enable many to read about the numerous and exquisite works of painting, sculpture and architecture which Constantino Brumidi created to cover the walls and ceilings of the Capitol.

I would also like to recommend this excellent artistic book to all of my colleagues and to the many others who will visit the Capitol. The book is at the Senate and U. S. Capitol Historical Society gift shops.

Constantino Brumidi: Artist of the Capitol

The new congressional publication, Constantino Brumidi: Artist of the Capitol, was authorized by the 103rd Congress (S. Con. Res. 40) as part of the celebration of the bicentennial of the construction of the Capitol. The book, prepared under the direction of Architect George M. White and completed under Architect Alan M. Hantman, has taken a number of years to research, write, illustrate, edit, and design. The book is richly illustrated, primarily with photographs taken by the Architect of the Capitol Photography Branch. It is intended to be valuable to those visiting and working in the Capitol as well as to specialists, and it should enhance the appreciation and understanding of the building's mural decoration for years to come.

Brumidi painted murals in the Capitol between 1855 and 1880, contributing greatly to the beauty and unique symbolic character of the Rotunda and of many rooms and corridors. Brumidi had great skill in making the figures he painted on a flat surface look three dimensional; he created rooms where the decoration goes from floor to ceiling. He was also a master in using rich and vibrant color. His murals pay tribute to American history, technological achievements, and values.

Brumidi's Capitol murals, including the canopy and the frieze, the House and Senate Appropriations Committee Rooms, the President's Room, the Senate Reception Room, and the Brumidi Corridors, are the major focus. The book also gives an overview of his career, including his training and work in Rome. It was primarily envisioned and written by Dr. Barbara Wolanin, Curator for the Architect of the Capitol, who has overseen the conservation of Brumidi's murals. The book would not have been possible without the assistance of many on her staff, especially photographer Wayne Firth. The book includes chapters by a number of other

experts, including the Architectural Historian for the Architect, William Allen, historian Pellegrino Nazzaro, art historian Francis V. O'Connor, and conservators Bernard Rabin, Constance Silver, Christiana Cunningham-Adams and George W. Adams, to provide additional perspectives. The book includes information about other painters working with Brumidi, a chronology of Brumidi's life and work, and a list of known works by him. The Government Printing Office is to be commended for the special care it took in the design and printing.

REAUTHORIZATION OF THE SURFACE TRANSPORTATION BOARD

• Mr. JOHNSON. Mr. President, the Surface Transportation Board (STB) was established in 1996 by act of Congress as a quasi-independent body within the Department of Transportation. The STB adjudicates disputes and regulates interstate surface transportation including the restructuring of railroad lines.

Although the authorization of the STB expired this year, a reauthorization bill has not been scheduled. It was my intention to offer an amendment to the reauthorization relating to railroad lines, or at least engage in a colloquy with the manager of the bill. However, because no amendments, or even colloquies, will be agreed to by the managers of the reauthorization of the STB, I offer these comments for the record.

It is my understanding that under section 10901 of title 49 of the U.S. Code, relating to the construction and operation of railroad lines, the STB is required to issue a certificate authorizing the construction or extension of a railroad line, unless it finds that such activity is ''inconsistent with the public convenience and necessity.''

Because the construction of railroad lines can cause significant adverse environmental impacts such as noise, safety and quality of life on local communities, my amendment would have sought to direct the STB to require applicants for the construction or extension of railroad lines to use all reasonable means to route them away from population centers in compliance with the above provision.

Although I am disappointed that I will not be able to offer my amendment, I have been assured by the Chairman of the Surface Transportation Board that ''regardless of whether or not language is inserted into our reauthorization bill, the Board must, and will, consider local interests in assessing the DM&E construction case.''

Mr. President, I appreciate Chairman Morgan's assurances, and I look forward to working with the STB on this and other issues in the next Congress.•

THE OCEANS ACT OF 1998

• Mr. McCAIN. Mr. President, I rise in support of the Oceans Act of 1998 and several other fisheries issues included in the legislation. In addition to the Oceans Act, this bill approves the Governing International Fishery Agreements between the government of the United States and the governments of the Republics of Lithuania and Estonia. These agreements will permit large processing vessels from these countries to enter the United States Exclusive Economic Zone and process fish caught by U.S. fishermen in fisheries where American processors have insufficient capacity. These privileges have been authorized this year for vessels of Poland and Latvia as well. I support these agreements because they provide needed markets for American fishermen to sell their catch. However, I believe we have inadvertently worked an injustice upon a large U.S. vessel, the *Atlantic Star*.

The *Atlantic Star* is a U.S.-owned, U.S. flag fishing vessel that was refitted last year for the herring and mackerel fisheries off the East Coast. The vessel had received all necessary permits to enter these fisheries. Because the Regional Fishery Management Councils had not then developed plans or plan amendments addressing the entry of large vessels into these fisheries, Congress enacted an appropriations rider which voided the permits for this specific vessels and imposed a one-year moratorium on the entry of the *Atlantic Star* into any U.S. fishery in order to give the Councils time to examine the issue. Meanwhile, the vessel has had to leave the United States in order to operate at all.

The Councils held hearings and carefully reviewed the issues. Recently, the Mid-Atlantic Council recommended size limitations on large harvesting vessels engaged in the mackerel fishery, but has not decided to extend similar limitations to processing vessels. This would allow U.S. flag vessels, such as the *Atlantic Star* to process fish caught by U.S. fishermen, just as the foreign flag vessels we are allowing in today will be able to do. By providing another market for U.S. fishermen it would also provide employment and economic benefits to the region. Moreover, unlike foreign vessels, U.S. flag processing vessels must pay U.S. income taxes, employ Americans and are subject to U.S. labor and environmental laws, requirements that benefit all Americans.

Unfortunately, during deliberations on the Commerce-Justice-State Appropriations Act of 1999, which will be included in the Omnibus Appropriations bill for 1999, the Senate accepted language creating a blanket exclusion of the *Atlantic Star*. We are now in the awkward position of authorizing the entry of foreign vessels to process U.S.-caught fish, while excluding our own U.S. processing vessels. Ironically, if the *Atlantic Star* were to give up her U.S. flag and operate under Lithuanian or Estonian flag, she could come into the United States and operate as a processing vessel in these U.S. fisheries, free from U.S. income tax, employing all foreign crew and exempt from other U.S. laws.

I support the development of our American fishing industry, while ensuring the long-term health and management of the resource. The principles of the Magnuson-Stevens Act—the primary fisheries law of the land—long ago established the priority to be afforded American vessels to harvest and process fish inside the U.S. Exclusive Economic Zone. Excluding U.S. processing vessels in the face of the Council's contrary judgment and while allowing foreign processing vessels into the same fishery does a disservice, not only to American catcher-vessel fishermen who seek markets for the fish and to the crew and owners of the *Atlantic Star*, but to all Americans. Frankly, it is a policy that simply makes no sense. I hope my colleagues will join me in revisiting this issue early in the new Congress.•

THE DAMAGE OF HURRICANE GEORGES IN PUERTO RICO

• Mr. CRAIG. Mr. President, as you know, hurricane Georges recently caused great damage to the island of Puerto Rico. I would like to take this opportunity to personally express my sympathies to those who suffered loss due to this natural disaster. I would also like to clear up some confusion regarding the Federal Emergency Management Agency (FEMA), the federal agency currently working to alleviate the pain and suffering caused by the hurricane.

I recently learned that erroneous reports regarding the funding of FEMA have been circulating in Puerto Rico. A few elected officials in the commonwealth have stated to the press that funding for the FEMA program is obtained from local taxes and user fees within Puerto Rico. These reports are simply not true.

On the contrary, the Appropriations Subcommittee on VA, HUD and Independent Agencies has sole jurisdiction over the funding of FEMA, and the funds appropriated by the committee come from the general fund. The general fund is composed of the collection of federal taxes and user fees from taxpaying citizens of the United States.

The United States Congress is committed to continuing our efforts to aid our fellow American citizens in Puerto Rico in their time of need. We will continue to seek additional emergency disaster relief funding for FEMA before Congress adjourns.•

SECURITIES LITIGATION UNIFORM STANDARDS ACT OF 1998

• Mr. D'AMATO. Mr. President, I strongly supported Senate passage of the conference report on S. 1260, the Securities Litigation Uniform Standards Act of 1998. This bill extends the efforts which we undertook in 1995 to curb abusive securities class action

litigation when we passed the Private Securities Litigation Reform Act of 1995 (PSLRA).

This bill makes the standard we adopted in the Reform Act the national standard for securities fraud lawsuits. In particular, the Reform Act adopted a heightened pleading requirement. That heightened uniform pleading standard is the standard applied by the Second Circuit Court of Appeals. At the time we adopted the Reform Act, the Second Circuit pleading standard was the highest standard in the country. Neither the Managers of Reform Act nor the Managers of this bill (and I was a Manager of both) intended to raise the pleading standard above the Second Circuit standard, as some have suggested. The Statement of Managers for this bill makes this clear when it states: ''It was the intent of Congress, as was expressly stated during the legislative debate on the PSLRA, and particularly during the debate on overriding the President's veto, that the PSLRA establish a heightened uniform federal standard based upon the pleading standard applied by the Second Circuit Court of Appeals.'' This language is substantially identical to language contained in the Report on S. 1260 by the Senate Banking Committee, which I chair.

The references in the Statement of Managers to the ''legislative debate on the PSLRA, and particularly . . . the debate on overriding the President's veto,'' are statements clarifying Congress's intent to adopt the Second Circuit pleading standard. The President vetoed the Reform Act because he feared that the Reform Act adopted a pleading standard higher than the Second Circuit's. We overrode that veto because, as the post-veto legislative debate makes clear, the President was wrong. The Reform Act did not adopt a standard higher than the Second Circuit standard; it adopted the Second Circuit standard. And that is the standard that we have adopted for this bill as well.

The Statement of Managers also makes explicit that nothing in the Reform Act or this bill alters the liability standards in securities fraud lawsuits. Prior to adoption of the Reform Act, every Federal court of appeals in the Nation to have considered the issue—ten in number—concluded that the scienter requirement could be met by proof of recklessness. It is clear then that under the national standard we create by this bill, investors can continue to recover for losses created by reckless misconduct.●

THE COAST GUARD REAUTHORIZATION ACT

● Mr. McCAIN. Mr. President, I rise in support of the Coast Guard Reauthorization Act. The House recently passed an amended version of the Senate Coast Guard bill. While I support the overall reauthorization of the Coast Guard, I want to comment on several provisions contained in the House passed bill.

There is currently an administrative process in place to convey excess Federal government property. I believe that legislation which mandates the transfer or disposal of Federal property under terms which circumvent the established administrative procedures is inappropriate. Consequently, the Senate bill used discretionary language to address certain conveyances requested by individual Senators. However, the House bill includes mandatory legislative conveyances. In this case only, I am accepting the mandatory language because I am satisfied that the Coast Guard is willing and prepared to make each of these particular conveyances.

Another important difference between the House and Senate passed bills relates to drug interdiction. I sponsored an amendment in the Senate bill which would have established criminal sanctions for the knowing failure to obey an order to land an airplane. As a former pilot, let me clearly state that this provision was not designed to put any pilot at risk of an arbitrary or random forced landing. Arbitrary or random forced landings are impermissible under the Senate provision. As with all aviation legislation in which I have been involved, safety is a top priority. Under current law, if a Federal law enforcement officer who is enforcing drug smuggling or money laundering laws witnesses a person loading tons of cocaine onto a plane in Mexico, sees the plane take off and enter the United States, he may issue an order to land, and if the pilot knowingly disobeys that order, there is currently no criminal penalty associated with such a failure to obey the order.

The criminal sanctions contained in the Senate bill would only be applied to a person who knowingly disobeyed an order to land issued by a Federal law enforcement agent who is enforcing drug smuggling or money laundering laws. The bill would also require the Federal Aviation Administration (FAA) to write regulations defining the means by and circumstances under which it would be appropriate to order an aircraft to land. One of the FAA's essential missions is aviation safety. Accordingly, the FAA would be required to ensure that any such order is clearly communicated in accordance with international standards. Moreover, the FAA would be further required to specify when an order to land may be issued based on observed conduct, prior information, or other circumstances. Therefore, orders to land would have to be justifiable, not arbitrary or random. Orders to land would only be issued in cases where the authorized federal law enforcement agent has observed conduct or possesses reliable information which provides sufficient evidence of a violation of Federal drug smuggling or money laundering laws. If enacted, I would take every step possible to ensure that this provision does not diminish safety in any way.

Last year, 430 metric tons of cocaine entered the United States from Mexico. In 1995, drugs cost taxpayers an estimated $109 billion. The average convicted drug smuggler was sentenced to only 4.3 years in jail, and is expected to serve less than half of that sentence. It is incumbent on all of us to fight the war on drugs with every responsible and safe measure at our disposal. The provision in the Senate bill would help those men and women who fight the war on drugs at our borders by providing an additional penalty for those who knowingly disobey the law.

A provision included in both the House and Senate bill relates to the International Safety Management Code (ISM Code). On July 1, 1998, the owners and operators of passenger vessels, tankers and bulk carriers were required to have in place safety management systems which meet the requirements of the ISM Code. On July 1, 2002, all other large cargo ships and self-propelled mobile offshore drilling units will have to comply. Companies and vessels not ISM Code-certified are not permitted to enter U.S. waters.

Shipowners required to comply with the ISM Code have raised concerns that the ISM Code may be misused. The IBM code requires a system of internal audits and reporting systems which are intended to encourage compliance with applicable environmental and vessel safety standards. However, the documents produced as a result of the ISM Code would also provide indications of past non-conformities. Obviously, for this information to be useful in rectifying environmental and safety concerns, it must be candid and complete. However, this information, prepared by shipowners or operators, may be used in enforcement actions against a shipowner or operator, crews and shoreside personnel by governmental agencies and may be subject to discovery in civil litigation.

The provision in both the Senate and House bills would require the Secretary to conduct a study to examine the operation of the ISM Code, taking into account the effectiveness of internal audits and reports. After completion of the study, the Secretary is required to develop a policy to achieve full compliance with and effective implementation of the ISM Code. Under the provision, the public shall be given the opportunity to participate in and comment on the study. In addition, it may be appropriate for the Secretary to form a working group of affected private parties to assist in the development of the study and the issuance of the required policy and any resulting legislative recommendations. Any private citizen who is a member of any such working group cannot receive any form of government funds, reimbursement or travel expenses for participation in, or while a member of, the working group.●

(On page S12590 of the Wednesday, October 14, 1998, edition of the RECORD,

Mr. REID's statement was erroneously attributed to Mr. DASCHLE. The permanent RECORD will be corrected to reflect the following:)

TRIBUTE TO DANA TASCHNER

• Mr. REID. Mr. President, I rise today to call attention to the outstanding achievements of a Nevadan who has dedicated himself to helping individuals who often lack the means to help themselves. Dana Taschner has achieved national recognition as a champion for victims of domestic violence and civil rights abuses. He is a 38 year-old lawyer from Reno who chooses cases that are relatively small-scale, but representative of many of the problems facing Americans. Time and again, Mr. Taschner has had the courage and initiative to take on cases that more prominent firms are hesitant to handle for political or monetary reasons. Dana Taschner truly brings honor to his profession.

Mr. Taschner's devotion to fighting oppression recently earned him the American Bar Association's Lawyer of the Year award. He was chosen from a pool of approximately 245,000 other lawyers in North America, competing with litigators with much higher profiles and greater wealth. In 1993, Mr. Taschner took on the Los Angeles Police Department and succeeded in forcing them to change their policy regarding police officers who commit domestic violence. In this case, he represented 3 orphans whose father, an L.A. police officer, murdered their mother and then took his own life. Taschner was able to overcome his own painful childhood memories of domestic abuse and secure the orphans a settlement. He argued that the department should not have returned the officer's gun after he had beaten his wife and threatened to kill her. He also forced the department to treat these matters as criminal cases, rather than internal affairs.

In this era of cynicism and self-promotion, I believe we must take steps to encourage and reward sincerity. Dana Taschner's unwavering dedication to his clients can be seen in his personal relationships with them, relationships that often outlive the outcome of the case. As an attorney myself, I have seen firsthand how much our country needs people in my field who care enough about their clients to commit themselves personally, as well as professionally. Many litigators find it much easier to take the cases that bring financial gain, rather than attempting to help the true victims of injustice.

I am proud that his colleagues have lavished accolades upon Mr. Taschner, but I believe it is a much greater sign of his success that his clients put their faith in him. Dana Taschner, whose integrity and selfless devotion to fairness truly embody our American justice system, is a role model for us all.•

ORDERS FOR WEDNESDAY, OCTOBER 21, 1998

Mr. STEVENS. I now ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m. on tomorrow, Wednesday, October 21. And I further ask unanimous consent that the time for the two leaders be reserved at that time.

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

PROGRAM

Mr. STEVENS. Mr. President, for the information of all Senators, the Senate will reconvene tomorrow, Wednesday, at 9 a.m. and immediately proceed to a rollcall vote on the passage of the omnibus appropriations bill. Following that vote, several Members will be recognized to speak in relation to the omnibus bill. At the conclusion of those remarks, the Senate may consider any legislative or executive items that may be cleared for action at that time.

RECESS UNTIL 9 A.M. TOMORROW

Mr. STEVENS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 4:33 p.m., recessed until Wednesday, October 21, 1998, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 20, 1998:

FEDERAL HOUSING FINANCE BOARD

DOUGLAS L. MILLER, OF SOUTH DAKOTA, TO BE A DIRECTOR OF THE FEDERAL HOUSING FINANCE BOARD FOR A TERM EXPIRING FEBRUARY 27, 2002, VICE LAWRENCE U. COSTIGLIO, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KENNETH L. FARMER, JR., 0000

EXTENSIONS OF REMARKS

THE NEED FOR A BETTER HEALTH CARE ACCREDITATION SYSTEM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. STARK. Mr. Speaker, human rights violations are occurring every day in the United States—worse yet, the victims and the Federal Government are funding these atrocities. While many nursing homes do an excellent job, all too many nursing homes throughout the country are not providing adequate care for elderly patients. As the proportion of older Americans in the population continues to grow and the number of those requiring long term care also rises, we must find a better way to improve quality in nursing homes.

A Special Report on Nursing homes in the October 12, 1998 edition of USA Today profiles the devastating conditions in some Florida nursing homes. According to the article, the Brian Center in Tampa exemplifies the neglect which is all too frequent in the nursing home industry. More than a dozen ''residents' rights'' lawsuits, including a class-action claim, are pending against Brian Center of Tampa. These lawsuits accuse Brian Center and its succession of owners and management companies of systematic fraud, abuse and neglect orchestrated to inflate profits at the expense of vulnerable patients.

As the USA Today article describes, enforcement lawsuits against nursing home owners take up to four months to be heard in court, and an additional month to be decided. Fines are limited to $5,000 per violation. Nursing homes only need to prove that they have improved the conditions of the home by the time of the hearing to defeat the enforcement lawsuit.

There is no substantial punishment for nursing homes which fail to adequately care for their patients. Further increasing the likelihood of poor care, government and private authorities like the Joint Commission on Accrediting Health Care Organizations do not effectively inspect facilities to identify existing problems. The date of annual inspections are rarely varied by more than a week, allowing nursing homes to present a positive example for the inspectors and then return to a poor standard once the inspection was finished.

The Brian Center and similar examples point out the problems with the Joint Commission on Accrediting Health Care Organizations, the national organization responsible for approving hospitals and nursing homes for medicare coverage. The October 19, 1998 edition of The Wall Street Journal contains a succinct description of the problems with the current accreditation and ranking process for HMO's, ''Who's on First?'' by Nancy Ann Jeffery. Both JCAHO and National Committee for Quality Assurance accredit HMO's, but each uses a different standard. JCAHO itself provides multiple accreditation plans which allows each plan to measure their most positive indicators.

Using different standards for different accreditation renders the results of such accreditations useless. The rankings by JCAHO and NCQA are not standardized so comparing accreditation reports among provider groups is difficult and/or meaningless.

The Wall Street Journal article also identifies the key flaw in the JCAHO type of accreditation: conflict of interest.

> When it comes to policing health-care quality, some groups are afraid to bite the hand that feeds them. In 1994 the Joint Commission rolled out a set of standardized performance measures off hospitals, at a cost of more than $5 million, creating a much sought-after single yardstick for comparing one hospital with another.
>
> There was just one problem: Some hospitals would look bad. The hospitals balked. So the Joint Commission, with a board dominated by the hospital industry and medical associations, backed off the plan.[1]

The Federal Government needs to improve the oversight of accrediting organizations to ensure that they are protecting the consumer, and providing useful material.

A TRIBUTE TO ANGELA RAISH

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, I rise today to recognize Angela Raish and to let this Congress know about a loss that we as a Congress will soon suffer. Ms. Raish has been the personal secretary and scheduler to New Mexico Senator PETE DOMENICI. She has served for 21 years as the Senator's ''vero braccio destro'' or right hand.

Her pleasant manner and dedication to the Senator and to the people of New Mexico is unparalleled. She worked selflessly to ensure everyone in the office did the best work possible for the Senator and the people of New Mexico. To give you an idea of what an impact she made, her retirement celebration was hosted by the Senator and Nancy Domenici as well as former Senate Majority Leader Howard Baker, former Senate Majority Leader Bob Dole and former Senator Sam Nunn, a Georgia Democrat.

Raish who grew up in South Dakota, joined DOMENICI's staff in 1977. Truth is, she probably knows more New Mexicans than the Senator does. And all of them adore Angela. Along the way she helped hundreds of people with her warm, caring manner. Dedicated, loyal public servants make up the majority of people working on Capitol Hill. But, Angela Raish has set the bar at the highest level to which others should aspire.

[1] Jeffery Nancy Ann, The Ratings Game: Who's on First? The Wall Street Journal. October 19, 1998 pg. R16.

HONORING THREE OF LANSING'S UNSUNG HEROES—THE LANSING COMMUNITY ROLE MODEL CELEBRATION

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. STABENOW. Mr. Speaker, on October 17, 1998, at our Lansing Community Role Model Celebration, I will be pleased to honor three of Lansing's unsung heroes. These women are true community volunteers, who, through their own dedication, commitment, and hard work have made our community a better place.

Mrs. Grace L. Demps, who has lived in Lansing since she was 6 years old, is a lifelong community volunteer. She has spent the last ten years making holidays dinners for hundreds of needy families. Mrs. Demps organizes and prepares these wonderful holiday feasts out of her own home. She solicits food donations and pays for the remainder of the supplies out of her own pocket.

Mrs. Demps has received the Sojourner Truth Award from the National Association of Negro & Professional Women's Club, and the Outstanding Community Service Award from the women of Union Baptist Church, Mother of the Year from her own Messiah Community Baptist Church, where her son, Rev. Lawrence Hinton presides. She is a member of the Greater Lansing Nurses Guild and the Lansing Association Women's Clubhouse.

Mrs. Demps recently retired as a 25-year employee from the City of Lansing Traffic Department. She is married to Willie Demps, and is the mother of 6 children, 35 grandchildren, 13 great-grandchildren, and 5 great-great-grandchildren.

Ms. Geri Roossien, who will be 66 on October 22nd, has used her own painful experiences with addiction to help many others through her job as a Substance Abuse Counselor at Cristo Rey Community Center, where she has been working since 1980. Although she retired on June 1st of this year, she is still involved in fundraisers and activities at the center.

Ms. Roossien is very close to her only daughter, Jannus, and her husband, Rob, and their two wonderful children.

Ms. Roossien served on the City of Lansing Human Resource Advisory Board from 1983 to 1996. She was also secretary for the Michigan Indian Benefit Association Board of Directors, a member of the Lansing Indian Center Youth Advisory Committee, the Native American Community Group, the Ingham County Women's Commission, the C.I.R.C.L.E. group, and the Indian Children's Christmas Party Committee. She is an integral part of many local political campaigns and activities in the Lansing community.

Mrs. Georgia Brown has been one of Lansing's most dedicated and committed community activists. She is an Honorary Life Member of the National PTA, a Life Member of the

NAACP, a life member of the National Council of Negro Women, a member of Lansing Association Women's Clubhouse, and Valiant Lady Church Women United. She is a long-time member of Trinity AME, and was a Sunday school teacher for many years, and worked with the Old Newsboys, an organization that raised money to give shoes and boots to hundreds of needy children. Mrs. Brown continues to volunteer at Sparrow Hospital's surgical wing where she has been a cheerful and dependable fixture for almost 15 years. And, Mrs. Brown, in all of her years of voting in public elections, has missed only 4 votes, and all of those were missed for family emergencies.

Mrs. Brown has been married to her husband Robert Brown for 68 years and is the mother of 8 children, 19 grandchildren, and 24 great-grandchildren.

Our community has been enriched by the contributions of these selfless volunteers. As we gather on Saturday, many generations of Lansing residents, we will celebrate our community role models, Mrs. Grace L. Demps, Mrs. Geri Roossien, and Mrs. Georgia Brown.

CONGRATULATIONS TO NAOMI LAUTER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FARR of California. Mr. Speaker, a young nation with a long and honorable history, Israel has been a symbol of hope and a land of opportunity for millions of Jews throughout the world. Surviving six wars, constant terrorism, and severe economic boycotts, Israel's 600,000 citizens have shown the world what it means to be committed to one's homeland. And like Israel, Naomi Lauter's independence, determination and strength have helped to build AIPAC into the leading organization for Jewish concerns.

I would like to congratulate Naomi Lauter on 16 years of incredible leadership as the Western Regional Director of AIPAC. Naomi's commitment to AIPAC and her vision has been unwavering and inspiring for all those who have worked with her.

The Jewish community has been served well by Naomi's spirit, innovation and devotion to Israel and pro-Israel legislation. Naomi has helped build AIPAC into what it has become in the Pacific Northwest, focused, effective, and powerful. We are all grateful to her for the work she has accomplished during her years of involvement with AIPAC.

And we look forward to her involvement for years to come. While Naomi is leaving as the Regional Director, we should all be grateful that she is not leaving AIPAC altogether. Becoming its National Consultant, AIPAC is fortunate to be able to rely on her insight and institutional knowledge of this great organization.

Every Jewish American can take pride in her dedication to bringing together persons of any political persuasions to sit up and take notice for Jewish and pro-Jewish communities.

Thank you Naomi for your service to AIPAC. We are thankful for your work, and look forward to a continuing friendship and wish you a successful future.

AS GAMBLING SPREADS THROUGHOUT THE STATES SO DOES GAMBLING ADDICTION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WOLF. Mr. Speaker, as the 105th Congress prepares to adjourn, I want to bring to the attention of our colleagues an important issue which, unfortunately, hasn't seemed to register with many of America's leaders. But it's one that needs our focused attention, and that's gambling.

Twenty years ago, if you wanted to gamble you had to go to Atlantic City or Las Vegas. But today, gambling has spread in one form or another to most of the 50 States. There are only two States which have completely banned gambling, and that's Utah and Hawaii.

One reason for the incredible rate at which gambling is spreading is through the proliferation of gambling casinos in many States. I certainly respect Native American Indians, but I'm really concerned about the number of gambling establishments on tribal lands.

For those of us who say we really care about Native Americans, we need to show our concern about what gambling is doing to them. A new University of Montana Bureau of Business and Economic Research study found that Native Americans in Montana have a compulsive gambling rate that is double the rate of other adults in the State. My point is that as gambling spreads throughout the States, so does gambling addiction. Montana is just one State that has a real battle on its hands. The Montana study found that 78 percent of Montanans gamble, and that figure is regardless of income, education, age, sex, and marital status. Compulsive gambling rates are on the increase, the study also said, up from 2.2 percent of the adult population six years ago to 3.6 percent now.

First, gambling is corrupting the political process. I have mentioned before my concern about the incredible amounts of money the gambling interests are pouring into the political process. Both sides are taking the money—Republicans and Democrats. And we are reading news reports more frequently than ever about one government official after another being investigated for gambling-related corruption, from an ex-governor and his son to even a member of the President's cabinet.

Second, it's hurting local businesses. People only have so many extra dollars to spend on food and entertainment. If they're spending their disposable income at the new casino in town, that's money that the local restaurant doesn't get, or the movie theater, or local retailers. Local business is being cannibalized by the casinos. Mom and pop restaurants can't compete with the discounted and even free meal deals at the gambling operations.

Another thing that happens when gambling comes to town is that crime goes up. The U.S. Treasury Department has been increasingly concerned at the way casinos attract criminal elements and suspicious activity, especially money-laundering and has proposed new regulations that would require casinos and card clubs to report to Treasury any suspicious transactions of $3,000 or more. Of course, the casinos are fighting these regulations tooth and nail. But the fact is, a cash-heavy criminal can find a safe haven in a casino. Drug dealers, armed robbers, embezzlers—these kind of people can walk in, buy a few thousand dollars worth of chips, then turn them in for a casino check later that night and can go relatively unnoticed.

Just a few months ago, four employees at some casinos in Atlantic City were arrested in a sting operation as they allowed undercover agents to launder more than $400,000 in what they allegedly believed was drug money. so the Treasury Department is concerned for good reason.

But crime is not the only issue. We are in a period of record bankruptcies all across the country, so much so that we had to appropriate money to pay for more bankruptcy judges. Studies have shown a significant link between gambling and bankruptcy, even geographically. Where there are more gambling facilities, there are more bankruptcies. This is an issue that must be addressed. It is out of control. Just the other day, a federal judge in Memphis said that because a woman had a gambling addiction problem, she didn't have to pay back the $8,200 in gambling debts she ran up on her credit card just before she filed for bankruptcy. Is there any doubt that the gambling issue must be addressed if we're talking about bankruptcy reform?

But not only bankruptcies increase when gambling comes in. Tragically, so do suicides, The American Association of Suicidology published the study ''Elevated Suicide Levels Associated with Legalized Gambling'' in the Winter 1997 issue of its journal Suicide and Life-Threatening Behavior. The study, which was conducted by Dr. David P. Phillips of the University of California at San Diego, found that there is a link between gambling and suicide.

> Las Vegas, the premier U.S. gambling setting, displays the highest levels of suicide in the nation, both for residents of Las Vegas and for visitors to that setting,
>
> the study said.
>
> In general, visitors to and residents of major gaming communities experience significantly elevated suicide levels. In Atlantic City, abnormally high suicide levels for visitors and residents appeared only after gambling settings were opened. The findings do not seem to result merely because gaming settings attract suicidal individuals.

But how do people get to the point where they're ready to take their own lives? It can actually start at a very young age. We're seeing and hearing more and more these days about how gambling is hurting young people. And by ''young,'' I'm talking about small children. Some critics, including Ed Looney, executive director of the Council on Compulsive Gambling of New Jersey, say that amusement arcades teach children that gambling is okay, and that it opens the door for later problems.

According to an article last month in the Las Vegas Review-Journal, gambling cities such as Las Vegas have tried to fashion themselves into ''family-friendly'' entertainment by providing casino arcades. But most of the games in the arcades, the article says, are gambling devices. The biggest difference between what's happening to the parents on the casino floor and what's happening to the kids in the casino arcades, the article says, is that ''the kids are ripped off even more than the adults.''

''These are not pinball machines or video games to afford entertainment time for the -

money,'' the article says, but they are ''virtual slot machines designed to turn money over quickly. One watches the children in the arcades with dismay. Many exhibit the same agitated and frustrated demeanor of gambling-addicted adults as they pump their coins into the machines.''

Gambling proponents say they are concerned about unattended children in casinos. That new found concern may have been spurned by high-publicity cases like the one last year in a Primm, Nev., casino hotel. A 7-year-old girl from Los Angeles, a second-grader, had been playing in and around a casino arcade, left on her own, while her father gambled. She was raped and murdered.

Syndicated columnists Don Feder and William Safire have both written recent op-ed articles decrying the gambling industry's targeting of children. In a recent column, Feder reported that the Las Vegas Hilton spent $70 million on a ride called ''Star Trek: The Experience.'' Young people waited for hours in line to get on the ride, and the line stretched through a gambling area. Hundreds of kids took the opportunity to play the slot machines, Feder reported. Something tells me the casino was not at all unhappy about this experience. If they are to exist in the future, they have to seduce the next generation of customers.

Consumer advocate Ralph Nader is saying the same thing these days. ''The idea is that parents will feel less guilty if they are subjected to family entertainment, and that the next generation of gambling addictees must be given attention,'' Nader said at a recent speech in Washington, D.C. ''The gambling industry is as brazen as the tobacco and alcohol industry,'' Nader said. ''It is even more brazen.''

More and more teens are finding themselves trapped in a web of gambling from which they can't break free. The New York Times printed a shocking front-page story about this a few months ago. The article cited a study by Harvard Medical School's Dr. Howard Shaffer, who published a recent study which found that young people are becoming addicted to gambling at a rate almost three times higher than that of adults. The article also cited a Louisiana State University study which found that one in seven 18- to 21-year-olds in Louisiana were problem gamblers. These are young people with a ''chronic and progressive psychological disorder characterized by an emotional dependence on gambling and a loss of control over their gambling.''

The 1996 New Mexico Survey of Gambling Behavior conducted a similar study and found that more than 85 percent of New Mexico's 18- to through 20-year-olds gamble. More than 66 percent said they had gambled in the previous month. Out of the 85 percent of young people who gamble, 37 percent said they were having gambling problems and 12 percent said they had a serious problem with gambling. The study also found a strong link between gambling behavior before the age of 21 and the development of serious gambling-related problems.

In New Jersey, gambling among teens is on the rise, according to the Council of Compulsive Gambling of New Jersey's Edward Looney. Looney says there is gambling in every high school in New Jersey, including gambling which is backed by organized crime. One survey of high school juniors and seniors reported that 30 percent gamble once a week at casinos, race tracks, on sports—including their own school's sports—on the lottery. According to the state's statistics, 91,754 juveniles were arrested or evicted from New Jersey casinos in 1997 alone. Out of this number, 329 were found gambling on slot machines and 114 at tables. There were 38,502 teens escorted from casinos last year, and 52,364 were turned away at the door when they tried to enter illegally.

But there's more. Not only is gambling hurting moms and dads and young people. But it's also hurting grandma and grandpa. According to a recent article in the Las Vegas Review-Journal, the spread of legalized gambling across America has led to financial ruin for many senior citizens. In Iowa, the article said, three years after riverboat gambling was introduced, bingo and casino gambling became the number-one pastime of choice for people over 65 years of age in the Omaha area.

Is that what each of us envisions for ourselves when we think about retiring? Spending our Golden Years addicted to gambling? I don't think so. But that's what's happening, all over America. The gambling industry says it's concerned about problem gambling among the elderly. But when you read their trade publications, ad after ad features grey-haired men and women beckoning seniors to ''join in the fun.''

Mr. Speaker, the fact of the matter is, many American people are starting to wise up to what's really going on here. As they are watching friends, neighbors and their own family members sinking in gambling's quicksand, they are speaking up and standing up against this blight on our nation. In state after state, voters are making their voices heard, loud and clear. They don't want it in their communities. Take casino gambling, for instance. Out of the last 21 efforts to bring in casinos nationwide, all have failed but one, and that one, in Detroit, Michigan, won only by a very slim margin. Even now, the citizens there are seeking to overturn that decision.

What is needed in our country is for our community leaders and elected officials to hear the voice of the American people on this issue, for they have indeed spoken. They have seen that gambling is bad for their families, bad for their communities, bad for their kids. It is destructive. It is dangerous.

I could go on and on for hours citing cases and studies. We have reports piled high in my office. But I think what I've shared with you today is enough of a taste—a bitter taste—of what gambling really means for a lot of people.

This is a problem that is national in scope. That's why we had to pass legislation which the President signed into law to establish the National Gambling Impact Study Commission. The commission is over half way through its two-year comprehensive evaluation of gambling's impact in America, including open meetings all across the country, and is expected to report its findings by next summer.

We need to wake up. It is wrong to allow government to become the predator of the people. Think about this the next time gambling's high-priced lobbyists show up at your door with a campaign contribution or an offer to put on a ''high-dollar'' fundraiser.

JOSE AND KATHY VILLEGAS RECEIVE THE APPLE PARENT INVOLVEMENT IN EDUCATION AWARD

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention an honor given to Jose and Kathy Villegas, residents of the great state of New Mexico. Jose and Kathy Villegas have received the 1998 Apple Parent Involvement in Education (PIE) Award.

Jose and Kathy Villegas received this award because their children Candace Marie, age 13 and Joseph, Jr. age 11 took the initiative to write a letter of nomination to Apple PIE Awards. Our most important job as parents is providing our children with values, teaching the difference between right and wrong and setting examples of respect for ourselves, others and our community. Jose and Kathy Villegas obviously have done this with their children. The nomination letter included a description of how their parents were instrumental in getting a classroom addition at their elementary school and a stop light at a busy intersection used by school children. Jose and Kathy Villegas are involved in many task forces working on issues important to children's education. The Villagas' story provides an excellent example of how parent involvement can make a positive difference in their children's lives, the local school and their community.

Jose and Kathy Villegas' story is part of a feature story in the November 1998 issue of Working Mother titled, ''Classroom Champions''. As the only individuals to receive this award in the United States, they stand as an example to all of us. Join me today in recognizing recipients of the 1998 Apple Parent Involvement in Education Award, Jose and Kathy Villegas.

CONFERENCE REPORT ON H.R. 4194, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT APPROPRIATIONS ACT, 1999

SPEECH OF

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 6, 1998

Mr. WICKER. Mr. Speaker, I am pleased that the VA–HUD–Independent Agencies Appropriations Act for Fiscal Year 1999 makes available significant funding for economic development grant assistance as part of the Community Development Block Grant program.

The Conference Report to accompany this legislation, House Report 105–769, on page 248, provides $750,000 to the City of Sardis, Mississippi, for the City's planned Water Resources Infrastructure Program, a portion of which includes construction of wastewater treatment facilities, as noted in the Conference Report.

I would like to take this opportunity to describe in specific detail how the City will use

the FY 1999 CDBG economic development grant of $750,000.

The water and wastewater supply facilities in the project area are inadequate to support planned developments. Although the distribution of potable water and the collection of wastewater within such developments are expected to be funded and constructed as components of the private developments, these systems will rely upon public infrastructure for water supply, storage and transmission, and wastewater transportation and treatment.

For Phase I water supply, the Master Plan recommends construction of a 500,000 gallon elevated water storage tank and its accompanying water well and 3.5 miles of 12-inch transmission pipelines, at a cost of approximately $1.7 million. These facilities will provide up to 1.0 million gallons per day of water supply for the conference facility, hotel, and marina.

Wastewater service for the Phase I development will consist of the necessary sewer pump stations and their related transmission force mains to carry the wastewater to the western extremity of the Sardis Lake grounds, and gravity sewer main from there westerly to the City's existing wastewater treatment lagoon facility. The wastewater facilities will include 2 pumping stations with capacities of 1,000 gpm each, approximately 4.5 miles of 12-inch forcemain, 2.5 miles of 24-inch gravity sewer main, and an expansion of the City's existing wastewater treatment facility. The probable cost of the wastewater improvements is approximately $2.5 million.

The FY 1999 CDBG grant assistance of $750,000 will be applied to planning, engineering, environmental, land acquisition, and construction activities related to the Phase I elements of the Program outlined above. The City intends that funds remaining from the grant following completion of planning, engineering and environmental work will be applied for Phase I construction activities until the funds are exhausted.

I look forward to watching the City of Sardis continue its exciting development and I trust these remarks will provide sufficient guidance to the Department of Housing and Urban Development as to the legislative intent for the grant assistance provided to the City of Sardis in the Fiscal Year 1999 budget.

HU KOMPLIMENTA I PLANUN HAGÅTÑA

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. UNDERWOOD. Mr. Speaker, today I wish to commend the efforts of the many citizens on Guam who organized an effort to recognize the history and development of Guam's capitol city of Hagåtña. This endeavor, properly named ''Project Hagåtña,'' has been a tool to educate younger generations of Guam's historical past. The various activities produced by the team leading Project Hagåtña has brought younger generations closer to their Chamorro heritage and has instilled in them the common values shared as native Pacific islanders.

The birth of Project Hagåtña resulted from ideas between two local men tossing around ideas of how to celebrate the Centennial Commemoration of Guam's relationship with the United States. Historically, Guam's capitol city has always been a center point for activities and social gatherings of occupying countries. Though the early Chamorros had been subjected to their rule, they still managed to retain the dignity and spirit of their capitol city. Hagåtña remained one of the most populated areas on Guam and thus a focal point for passing on the traditions, stories and culture of the Chamorro people.

Upon approval by Guam's Centennial Task Force, Project Hagåtña's director, Mr. Peter Alexis Ada, set out to plan a grand celebration. Appropriately, Mr. Ada was born and raised in Hagåtña and has seen the transformation of Guam's capitol throughout his life. His experiences and memories, especially in the aftermath of World War II, have made the celebration of Hagåtña memorable and personable. Mr. Ada's recollections of his family and neighbor's everyday routines have helped to lay the groundwork for Project Hagåtña's role in the centennial commemoration.

In designing the various activities, it was decided that events hosted by Project Hagåtña would rely on the generosity and graciousness of individuals and Guam's private sector to make it happen. This spirit of cooperation existed in Hagåtña's history when families helped one another during times of hardship or celebration. Guam's present day contributors to the success of Project Hagåtña include; Lam Lam Tours, Coca Cola, Foremost Foods, Mid-Pac Distributors, Ambros, Jones and Guerrero K–57, McDonalds, Exxon Guam, Computerland, Marianas Electronics, ARROTECH, SGO Glass and Gifts and the Church of Jesus Christ of Latter Day Saints. Without their assistance and kindness the events of Project Hagåtña would have never happened.

Project Hagåtña incorporated a multi-faceted approach by sponsoring scores of events that built upon our cultural backgrounds and renewed our energy to learn our history. To inaugurate the creation of Project Hagåtña, a ceremony was held which honored and included the remaining residents of Hagåtña that remained in the capitol despite the pressures to move elsewhere by the post WWII reconstruction. Other celebrations include reliving the genre of music that existed in the 1930's and 40's, the baking of bread in antique beehive ovens, commemorating the signing of Guam's Organic Act in 1950, tracing the genealogy of Chamorro families, tracing the genealogy of Chamorro families with Japanese surnames, and participating in Guam's Liberation Day Parade.

I would like to commend the following individuals for their remarkable efforts in coordinating Project Hagåtña: Lourdes C.N. Ada, Benigno-Joseph Umagat, John San Nicolas, Annabelle Perez, Jeffrey Edubalad, Teresita N. Taitano, Robert J. Umagat, John Garica, Donna Paulino, Lelani Farrales, Lourdes Alonso, Kennedy Jim, Mayleen San Nicolas, Jesusa M. Hayes, Clotilde R. Peredo, Patrick S. Leddy, and Peter Alexis Ada.

My congratulations to the people of Guam on the success of Project Hagåtña, may its work continue through the rest of this year and serve to remind us of our unique cultural place in the world and strengthen our heritage.

HONORING THE GRAND OPENING OF THE BIXBY MARIONETTE EXHIBIT

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. STABENOW. Mr. Speaker, starting on Sunday, October 18th, the Bixby Marionette Exhibit opened its permanent home in Saline, Michigan at the Saline Culture and Commerce Center.

The exhibit will showcase more than 100 marionettes created by 89-year-old Meredith Bixby who is the founding member of the Puppeteers of America, and a member of the Detroit Puppeteers Guild.

As a lifelong resident of Saline, Mr. Bixby, who is known as the ''Master of the Marionettes,'' traveled throughout the United States with the Meredith Marionettes Touring Company for more than 40 years, beginning his career during the darkest days of the depression and continuing until his retirement in 1982.

This exhibit came together through a partnership created by the Saline Area Chamber of Commerce, the Michigan Council for Arts and Cultural Affairs, and the City of Saline, who helped champion the Bixby project.

I am pleased to help showcase the work of this extraordinary man who helped bring joy, creativity, and entertainment to schools, theaters and community centers across the country. I wish him the very best in the future and thank all parties for helping to establish this important cultural project.

HONORING THE RETIREMENT OF FLORIDA STATE REPRESENTATIVE FRED LIPPMAN

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SHAW. Mr. Speaker, when the Florida State Legislature reconvenes in 1999, it will do so without one of its most valued leaders. State Representative Fred Lippman of Hollywood, Florida is retiring from the Florida House of Representatives after twenty years of dedicated public service to Broward County and our home state.

In the thirty years I have known Fred, our friendship has transcended party politics. We have joined forces in numerous community endeavors, including serving on the Broward County Charter Review Commission. I have enjoyed working alongside Fred in true, cooperative bipartisanship. His exemplary record and committed leadership have been invaluable to the community development of Broward County.

For two decades, Fred Lippman has been an advocate for children's health and the voice of the people of Broward County. His most notable legislative accomplishments include the design of the Healthy Kids statewide insurance program, revision of Florida's child abuse laws, and one of the country's first laws mandating the use of child-safety seats.

Although he is retiring from the Florida House of Representatives, I doubt that Fred

will ever retire from public service. As a testimony to his tireless work in the community, a family center and a local shelter have both been named in his honor. He has received numerous awards from groups such as Florida's teachers, firefighters, children's advocates, and the American Lung Association. I am certain his dedication to the community will continue.

Mr. Speaker, I commend State Representative Fred Lippman for his twenty years of service in the Florida House of Representatives.

RETIREMENT OF JAMES N. WOODRUFF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to James N. Woodruff, who has recently retired after a distinguished career with the Office of Personnel Management and its predecessor, the Civil Service Commission.

It may seem unusual for the Congress to honor the service of a long-time Executive branch employee, but I can assure my colleagues that Jim served the Congress effectively for many years. The vast majority of Jim's tenure was devoted, either directly or in his supervisory capacity, to the drafting and analysis of measure addressing many of the most significant and complex Federal personnel issues. He contributed immeasurably to major initiatives such as the Federal Employees Pay Comparability Acts of 1970 and 1990, the Federal Employees' Retirement System Act of 1986, and the Civil Service Reform Act of 1978.

In addition, many members of personal and committee staffs have benefited from Jim's quick and able assistance over the years. Whether on the most arcane technical matters or the broadest constitutional concerns, Jim's expertise and counsel reflected sound judgment and were always readily available.

We would be remiss in allowing only the Executive branch to express regrets at Jim's departure. His career-long commitment to excellence is in the finest tradition of public service and we wish him well.

PERSONAL EXPLANATION

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. WILSON. Mr. Speaker, on rollcall vote numbers 520, 531, 532, and 533, I was unavoidably detained. Had I been present, I would have voted 'aye' on each of these votes.

IN HONOR OF JACK HECHLER

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. REGULA. Mr. Speaker, I would like to bring to the Congress' attention an individual who has over the past decade made innumerable contributions promoting a better understanding of our institution and the federal government to visitors from around the world.

Jack Hechler, for the past ten years, has served as escort/interpreter for the well-regarded annual Congress-Bundestag/Bundesrat Staff Exchange Program. Begun in 1983, this exchange program has greatly contributed to improving the working relationship between the legislatures of the United States and Germany. Since 1988, Mr. Hechler has been the escort/interpreter for the German delegation which arrives each summer for a three week program in Washington and Members' districts.

Born and raised in Germany, Mr. Hechler graduated from American University in Washington, D.C., served in the U.S. Armed Forces, and for more than 37 years was an active Civil Service employee. Prior to his retirement, he served as Director of Policy, Plans, and Evaluation at the General Services Administration. Since his retirement, Mr. Hechler has provided escort and interpreting services for the Department of State and the U.S. Information Agency.

Mr. Hechler has been invaluable to the success of the Congress-Bundestag/Bundesrate Staff Exchange by providing continuity to the program which relies heavily on alumni volunteers. The ten member German delegations and the network of American alumni have come to depend on his insights, his wide breadth of knowledge of American history, and his composure. It is no wonder that the Federal Republic of Germany awarded him the Order of Merit for his work with this program.

Mr. Hechler has provided Congress with a great service for which I offer my appreciation and that of my colleagues.

PROVIDING FOR CONCURRENCE BY THE HOUSE, WITH AN AMENDMENT, IN SENATE AMENDMENT TO H.R. 2204, COAST GUARD AUTHORIZATION ACT OF 1997

SPEECH OF

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. JOHN. Mr. Speaker, I rise in support of House Resolution 602 and H.R. 2204, the Coast Guard Authorization Act of 1998. In general, the purpose of H.R. 2204 is to authorize approximately $4.1 billion in expenditures for the United States Coast Guard for fiscal year 1999. The U.S. Coast Guard is on the front lines every day, saving lives and preventing drugs from entering the country. They are the lead agency in the cleanup of oil spills and they help protect our nation's fisheries within our 200 mile exclusive economic zone. The funding authorized in this bill will enable them to continue to accomplish their important mission.

Mr. Speaker, I would like to devote the remainder of my time discussing the merits of Title VI of this bill. I rise strongly in support of Title VI because it is essentially H.R. 4235, the legislation that I introduced in July of this year. H.R. 4235 is entitled the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. My bill, and Title VI of H.R. 2204, authorizes appropriations through the National Oceanic and Atmospheric Administration to conduct research, monitoring, education, and management activities for the prevention, reduction and control of Harmful Algal Blooms, hypoxia, pfiesteria and other aquatic toxins.

Mr. Speaker, as you are well aware, the problems associated with Harmful Algal Blooms (HABs) have been well documented. Recent occurrences of HABs include red tides in the Gulf of Mexico and the Southeast; brown tides in New York, New Jersey and Texas; ciguatera fish poisoning in Hawaii, Florida, Puerto Rico, and the U.S. Virgin Islands; and shell fish poisonings in the Gulf of Maine, the Pacific Northwest, and the Gulf of Alaska. In addition, the recent outbreak of *pfiesteria piscicida* in the Chesapeake Bay estuary is an example of how a naturally occurring species can explosively reproduce in our nation's coastal waters. Furthermore, according to NOAA, 53 percent of U.S. estuaries experience hypoxia—including a 7,000 square mile area in the Gulf of Mexico off Louisiana and Texas which creates a massive ''dead zone'' where little or no marine life exists.

Representing the western half of Louisiana's coastline, I am particularly sensitive to these problems as they affect not only the public health, but also my state's valuable fisheries resources. As I just relayed, however, these are not problems isolated to Louisiana or the Gulf of Mexico. Rather, it is a national problem that deserves a national approach.

Up to this point, research on the HAB problem has focused primarily on basic science, detection, and monitoring. One vital research need is a reliable technique for the rapid detection and identification of algal species and stages. Monitoring of water quality in order to forecast the onset or subsidence of algal blooms is another key research issue. Such monitoring also is important for understanding interactions between algal species and the environment and the relationship of algal species with other marine organisms.

The range of economic impacts from HAB outbreaks and the extent of those costs have spiraled. Economic losses have been documented from limited or restricted shellfish harvests, losses from reduced tourism and marine recreation due to aesthetically unpleasant areas, and panicked consumers who avoid purchasing seafood products. In addition, there are indirect costs associated with HABs, such as the medical costs of treating exposed people and diminished development of or investment in coastal resources.

The technical, legal, and managerial tools to address HABs may collectively exist within a variety of federal and state agencies. Currently, however, a structured and effective means to bring this expertise together to address HABs does not exist. The missions and goals of many agencies overlap in the coastal zone where HAB phenomena are pronounced. Although no single agency has the lead role for the federal government, NOAA and the Environmental Protection Agency (EPA) are coordinating the efforts of several agencies and departments. At present, the goal of these efforts is to more effectively direct resources toward minimizing future HAB outbreaks and supporting research and monitoring efforts.

Mr. Speaker, I introduced H.R. 4235 to address this problem. H.R. 4235 was structured to ensure that much needed federal resources are effectively used to address our nation's

coastal communities environmental and public health concerns. Though the authorized funding level in Title VI is less than I proposed in H.R. 4235, I am pleased to see that the integrity of the structure of my bill was not breached.

Finally, I would like to briefly thank my staff, David Kay, for all his hard work and all the Members who were supportive of my proposal. I am confident that the broad-based support that we garnered in the form of cosponsors to H.R. 4235 was instrumental in the bill's eventual inclusion as Title VI of H.R. 2204.

Mr. Speaker, I urge that the House support H.R. 2204. I urge the Senate to quickly act to pass it as well and I urge our President to sign this bill into law.

SALUTING RON JAMES—INTREPID DEFENDER OF THE AMERICAN FLAG

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity as we come to the close of the 105th Congress, to recognize a man who has been so instrumental in efforts to protect the eternal symbol of our great nation—the American Flag. That man is Ron James.

Those of us ingrained in the fight to enact the constitutional amendment prohibiting the physical desecration of the American Flag identify Ron James, who we also know as Ronald M. Sorenson, as a true patriot. Ron has devoted countless volunteer hours to promoting the amendment that will return the right of the American people to protect the American Flag—the perennial symbol of American ideals and the countless sacrifices that have been made in securing them. A former Marine, Ron has extended his service to his country well beyond his time in the armed services. His actions on behalf of all veterans and in support of protecting the American flag are truly commendable.

Mr. Speaker, I invite all Members to join me in paying tribute to Ron James, a true American patriot.

MULTIPLE CHEMICAL SENSITIVITY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SANDERS. Mr. Speaker, I rise today to discuss the issue of Multiple Chemical Sensitivity as it relates to both our civilian population and our Gulf War veterans. I continue the submission for the RECORD the latest "Recognition of Multiple Chemical Sensitivity" newsletter which lists the U.S. federal, state and local government authorities, U.S. federal and state courts, U.S. workers' compensation boards, and independent organizations that have adopted policies, made statements, and/or published documents recognizing Multiple Chemical Sensitivity disorders for the benefit of my colleagues.

RECOGNITION OF MCS IN 8 U.S. FEDERAL COURT DECISIONS

In decisions affirming MCS (by this or another name) as a real illness, handicap or disability under:

Daubert: *Kannankeril* v. *Terminix Internationals Inc.* Third Circuit Court of Appeals (CA 3), No 96–5818 [17 Oct. 1997, 5 pages, R–148], overturning a lower court's summary judgement for the defendant (District of NJ, No 92–cv–03150) on a Daubert motion, saying it had ''improperly exercised its gate keeping role by excluding'' the plaintiff's medical expert, Dr. Benjamin Gerson, and his testimony on causation—specifically his view that the plaintiff developed MCS as a result of overexposure to chlorpyrifos. [Terminix had sprayed Dursban in the plaintiff's home 20 times in 17 months.] The court described MCS as becoming ''sensitized to multiple other chemicals'' and said ''It is an acknowledged scientific fact that chlorpyrifos, the active ingredient in Dursban, is harmful to humans and can cause the very symptoms displayed by Dr. Kannankeril,'' which included headaches, fatigue, numbness, memory and concentration problems, sleeplessness, nausea, and skin rashes. Even though Dr. Gerson had not examined the plaintiff or written about the toxic effects of organophosphates, the court said his ''opinion is not a novel scientific theory'' and ''is supported by widely accepted scientific knowledge of the harmful nature of organophosphates.''

Fair Housing Act: *United States* v. *Association of Apartment Owners of Dominis West et al,* Case No. 92–00641 (D. Ha.) 25 August 1993 [19 pages, R–61], in which a consent order won by the Department of Justice's Housing and Civil Justice Enforcement Section requires the management of an apartment complex in Honolulu to take several steps to accommodate a tenant with MCS.

Rehabilitation Act: *Vickers* v. *Veterans Administration,* 549 F. Supp. 85, W.D. Wash. 1982 [4 pages, R–56], in which the plaintiff's sensitivity to tobacco smoke was recognized as handicap by the VA and the court, but his request for totally a smoke-free environment was denied on the grounds that the VA had already made sufficient reasonable efforts; *Rosiak* v. *Department of the Army,* 679 F. Supp. 444, M.D. Pa. 1987 [6 pages, R–57], in which the court, although finding the plaintiff ''not otherwise qualified'' to continue working, implicitly recognized his MCS disability, as did the Army, which the court found had made sufficient reasonable (albeit unsuccessful) efforts to accommodate the plaintiff's chemical sensitivity.

Social Security Disability Act: *Slocum* v. *Califano (Secretary, HEW),* Civil No. 77–0298 (D. Haw.) 27 August 1979 [9 pages, R–60], in what is believed to be the earliest decision of any court recognizing MCS, the US District Court of Hawaii awarded disability benefits to a plaintiff whose *pro se* claim of ''chemical hypersensitivity'' dated from 1 May 1968; *Kornock* v. *Harris,* 648 F.2d 525, 9th Cir. 1980 [3 pages, R–59]; and *Kouril* v. *Bowen,* 912 F.2d 971, 974, 8th Cir. 1990 [7 pages, R–58]; *Creamer* v. *Callahan,* Civil No. 97–30040–KPN (D. Mass.), 5 November 1997, [7 pages, R–150] reversing and remanding the decision of the SSA Commissioner, who agreed that the administrative law judge's ''analysis was flawed with respect to MCS.'' The court ordered the Commissioner to file a supplemental memorandum on SSA's ''position with respect to MCS,'' which he did—specifically stipulating that SSA ''recognizes multiple chemical sensitivity as a medically determinable impairment'' (31 October 1997, 2 pages, R–164).

RECOGNITION OF MCS IN 21 U.S. STATE COURT DECISIONS

In decisions affirming MCS illness (by this or some other name) as a handicap or injury in cases regarding:

Housing Discrimination: *Lincoln Realty Management Co.* v. *Pennsylvania Human Relations Commission,* 598 A.2d 594, Pa. Commw. 1991 [47 pages, R–62].

Employment Discrimination: *County of Fresno* v. *Fair Employment and Housing Commission of the State of California,* 226 Cal. App. 3d 1541, 277 Cal. Rptr. 557 Cal App. 5th Dist. 1991 [11 pages, R–63]; and *Kallas Enterprises* v. *Ohio Civil Rights Commission,* 1990 Ohio App. 1683, Ohio Ct. App. May 2, 1990 [6 pages, R–64].

Health Services Discrimination: *Ruth, Barbara; June P. Hall; Cricket J. Buffalo; Susan Molloy; and Cathy Lent* v. *Kenneth Kizer/Molly Coe, Director, CA. Department of Health Services,* No. 665629–8, 1989 [1 page, R–65], in which the plaintiffs won the right to receive oxygen treatments for MCS by successfully appealing to the CA Superior Court of Alameda County which overturned the prior ruling of an administrative law judge.

Negligence/Toxic Tort: *Melanie Marie Zanini* v. *Orkin Exterminating Company Inc. and Kenneth Johnston,* Broward County Circuit Court, No. 94011515 07, verdict of 7 December 1995 and final judgement of 28 December 1995 [4 pages, R–92], in which the jury ruled that the pesticide applicator's negligence in applying Dursban was the legal cause of damage to the plaintiff, who was awarded a total of $1,000,000 in damages by the jury. This was subsequently reduced to $632,500 in the final judgement.; *Ruth Elliott, et al.,* v. *San Joaquin County Public Facilities Financing Corp. et al.,* California Superior Court, San Joaquin County, No. 244601, 31 October 1996 [2 page verdict report, R–112] in which a public lease-back corporation was held responsible for 14 awards of partial to permanent disability based on MCS and various other health complaints that started after extensive renovations were inadequately ventilated (half the roof air conditioners did not work). Awards ranged from $15,000 to $900,000 each (total $4,183,528) *Linda Petersen and Eleni Wanken* v. *Polycap of California,* California Superior Court, Alameda County, No. H7276–0, 1 April 1988 [1 page verdict report, R–143], in which plaintiffs were awarded $250,000 and $13,000, respectively, for MCS they developed after a polyurethane roofing material was installed at two school buildings where they worked. These jury awards led to prompt settlement of a dozen other cases against the same defendant.

Tort of Outrage and ''Deliberate Intention'' Exception to Workers Compensation: *Birklid et al* v. *The Boeing Company,* Supreme Court of the State of Washington, 26 October 1995, No. 62530–1, in which the court issued an EN BANC ruling in response to a question it ''certified'' from the Ninth Circuit Court of Appeals. By unanimous 9–0 decision, the WA Supreme Court found sufficient evidence of Boeing's deliberate intent to harm its employees from chemical exposure that the 17 workers who claim they were physically and/or emotionally injured as a result (including those with MCS) can sue the company for civil damages in addition to their workers' compensation benefits. (This ''deliberate intention'' exception was last allowed by the court in 1922). The court also found that the chemically-injured workers had a claim under the Tort of Outrage for recovery of damages arising from Boeing's intentional infliction of emotional distress. The matter now returns to the U.S. District Court for the Western District of Washington for a jury trial. [25 page decision with a 2 page background paper from Randy Gordon, one of the plaintiffs' attorneys., R–66].

Workers' Compensation Appeals (State Courts only, others follow):

Arizona: *McCreary, Robert* v. *Industrial Commission of Arizona,* 835 P.2d 469, Arizona Court of Appeals 1992 [1 page, R–70];

California: *Kyles* v. *Workers' Compensation Appeals Board et al,* No. A037375, 240 Cal. Rptr. 886, California Court of Appeals 1987 [9 pages, R–68]; *Menedez* v. *Continental Ins. Co.,* 515 So.2d 525, La. App. 1 Cir. 1987 [6 pages, R–69];

Kansas: *Armstrong, Dan H,* v. *City of Wichita,* No. 73038, 907 P.2d 923, Kansas Court of Appeals [9 pages, R–185];

Nevada: *Harvey's Wagon Wheel, Inc. dba Harvey's Resort Hotel* v. *Joan Amann, et al,* No. 25155, order dated 25 January 1995, Nevada Supreme Court [4 pages, R–93], in an order dismissing the casino's appeal of a district court ruling that reversed the decision of an appeals officer in favor of a group of 23 claimants. The Supreme Court agreed with the lower court's finding that the officer had ''overlooked substantial evidence offered by the [23] claimants that clearly supported a causal relation between their work place injuries [due to pesticide exposure] and their continuing disabilities.''

New Hampshire: *Appeal of Denise Kehoe* (NH Dept. of Labor Compensation Appeals Board), No. 92–723, Supreme Court of New Hampshire 1994, 648 A.2d 472, which found that ''MCS Syndrome'' due to workplace exposure is an occupational disease compensable under NH's workers' compensation statute and remanded to the Compensation Appeals Board ''for a determination of whether the claimant suffers from MCS and, if she does, whether the workplace caused or contributed to the disease'' [3 pages, R–71, see also]; (2nd) *Appeal of Denise Kohoe* (NH Dept. of Labor Compensation Appeals Board), No. 95–316, Supreme Court of New Hampshire 13 November 1996, in which the Court again reversed the Compensation Appeals Board, finding both that the claimant had MCS (legal causation) and that ''her work environment probably contributed to or aggravated her MCS'' (medical causation) [5 pages, R–127];

Oregon: *Robinson* v. *Saif Corp,* 69 Or. App. 534; petition for review denied by 298 Ore. 238, 691 P.2d 482 [5 pages, R–67]; *Saif Corporation and General Tree* v. *Thomas F. Scott,* 824 P.2d 1188, Ore.App. 1992 [6 pages, R–89];

South Carolina: *Grayson* v. *Gulf Oil Co,* 357 S.E.2d 479, S.C. App. 1987 [6 pages, R–88];

West Virginia: *Arlene White* v. *Randolph County Board of Education,* No. 93–11878, 18 November 1994 decision of Administrative Law Judge Marshall Riley, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total disability and medical payments by Workers' Compensation Division [7p, R–131]; *Julie Likens* v. *Randolph County Board of Education,* No. 93–14740, 4 April 1995 decision of Chief Administrative Law Judge Robert J. Smith, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total and medical disability by Workers' Compensation Division [8p, R–132]; and *Barbara H. Trimboli* v. *Randolph County Board of Education,* No. 92–65342–OD, 10 June 1996 decision of Administrative Law Judge Terry Ridenour, Workers' Compensation Office of Judges, reversing denial of MCS claim for temporary total disability and medical payments by Workers' Compensation Division [5 pages, R–133].

RECOGNITION OF MCS IN 14 WORKERS' COMPENSATION BOARD DECISIONS

In decisions affirming MCS illness (by this or some other name) as a work-related injury or illness in:

Alaska: *Hoyt, Virginia* v. *Safeway Stores, Inc,* Case 9203051, Decision 95–0125, Alaska Workers' Compensation Board 1995 [21 pages, R–73].

Connecticut: *Sinnamon* v. *State of Connecticut, Dept. of Mental Health,* 1 October 1993 Decision of Nancy A. Brouillet, Compensation Commissioner, Acting for the First District, Conn. Workers' Compensation Commission. [10 pages, R–106]. The commissioner, citing testimony from Dr. Mark Cullen, among others, found ''the great weight of medical evidence supports the diagnosis of MCS syndrome causally related to the Claimant's exposure while in the course of her employment'' in state office buildings with poor indoor air quality. She ordered payment of temporary permanent disability benefits as well as payment ''for all reasonable and necessary medical treatment of the Claimant's MCS syndrome.''; *O'Donnell* v. *State of Connecticut, Judicial Department,* 22 May 1996 Decision of Robert Smith Tracy, Compensation Commissioner, Fourth District, Conn. Workers' Compensation Commission. [5 pages, including cover letter from plaintiff's attorney, R–107]. The commissioner recognized MCS ''caused by numerous exposures to pesticides at work . . . and exacerbated by repeated exposure to other odors and irritants at work'' in a Juvenile Court building. Because ''this claimant has been given special accommodations since March 1992 when she was granted an isolated office and the stoppage of spraying of pesticides'' that allowed her to continue working full-time, no monetary benefits were awarded.

Delaware: *Elizanne Shackle* v. *State of Delaware,* Hearing No. 967713, Delaware Industrial Accident Board in and for New Castle County, December 1993 [21 pages, R–142] awarding total temporary disability benefits and ''one attorney's fee'' based on the IAB's finding that the claimant's work exposure (in a state correctional facility built by prison labor) had ''caused her present respiratory symptoms'' and that this ''has sensitized her to other odors.''

Maryland: *Kinnear* v. *Board of Education Baltimore County,* No. B240480, Md. Workers' Compensation Commission, 28 June 1994 [1 page, R–75].

Massachusetts: *Sutherland, Karen* v. *Home Comfort Systems by Reidy and Fidelity & Casualty Insurance of New York,* Case No. 023589–91, 8 February 1995 decision of Mass. Department of Industrial Accidents [21 pages, R–74]; *Steven Martineau* v. *Fireman's Fund Insurance Co,* Case No. 9682387, 15 May 1990 decision of Administrative Judge James McGuinness, Jr., Mass. Industrial Accident Board, ordering that the employer pay for disability benefits as well as ''all costs, including transportation, lodging and meals, incurred or to be incurred in the course of seeking and obtaining reasonable medical and related care . . . including treatment rendered by and at the Center for Environmental Medicine.'' [18 pages, R–125]; *Elaine Skeats* v. *Brigham & Women's Hospital,* Case No. 02698693, 24 October 1996, decision of Administrative Judge James McGuinness, Jr., Mass. Industrial Accident Board, ordering that the employee ''compensate the employee for expenses incurred in the course of satisfying the historic and prospective prescriptions of Doctors . . . prompted by her industrial injury and relative to: intravenous therapy, vitamin and nutritional supplements, message therapy, air conditioning, air purification, air filtration, masking, water filtration, allergy bedding, laboratory testing and mileage travelled.'' [14 pages, R–126]

New Mexico: *Elliott, Erica* v. *Lovelace Health Systems and Cigna Associates Inc,* No. 93–17355, 8 November 1994, decision of Rosa Valencia, Workers' Compensation Judge, finding that MCS was triggered by glutaraldehyde and Sick Building Syndrome for which employer had been given timely notice. Also supported Elliott's refusal to return to work in the buildings that made her sick buildings as ''reasonable under the circumstances.'' Decision granted 3 months of temporary total disability pay followed by permanent partial disability for ''500 weeks or until further order of the Court'' [15 pages, R–113]

New York: *Crook* v. *Camillus Central School District #1,* No. W998009, 11 May 1990, decision of Barbara Patton, Chairwoman, NY State Workers' Compensation Board specifies ''modify accident, notice and causal relationship to multiple chemical sensitivity'' and awarded continuing benefits of $143.70 per week [1 page, R–108].

Ohio: *Saks* v. *Chagrin Vly. Exterminating Co Inc.,* No. 97–310968, 18 September 1997 [2 pages, R–151], decision of District Hearing Officer Arthur Shantz, recognizing claim of chemical sensitivity; and *Kelvin* v. *Hewitt Soap Company,* No. 95–599131, 5 June 1996 [2 pages, R–152], decision of District Hearing Officer Steven Ward, recognizing claim of multiple chemical sensitivity as ''occupational disease'' contracted ''in the course of and arising out of employment.''

Washington: *Karen B. McDonnel* v. *Gordon Thomas Honeywell,* No. 95–5670, 22 October 1996 decision of Judge Stewart, WA State Board of Industrial Appeals, recognizing ''toxic encephalopathy'' as an acceptable diagnosis for MCS-induced permanent partial disability [2 p, R–118].

THE CAP ON MEDICARE THERAPY SERVICES MUST BE REMOVED

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, It has come to my attention that a pending change to Medicare policy enacted as part of the 1997 Balanced Budget Act will curtail access to needed outpatient therapy services for persons with severe disabilities and chronic health conditions. Effective January 1, 1999, this change limits payments for Medicare outpatient occupational therapy and physical therapy/speech-language pathology services (combined) to $1,500 per beneficiary per year. This is an arbitrary limit that will cause thousands of Medicare beneficiaries with disabilities to forfeit necessary care in excess of the $1,500 level, force them to switch health care providers when the $1,500 cap is reached, or require them to struggle to pay for continuing services out-of-pocket. Individuals recovering from stroke, who have Alzheimer's Disease, or who have advanced multiple sclerosis are among the Medicare beneficiaries that often need therapy services beyond that available under the $1,500 cap. It is these individuals and their families who will be hurt by this pending provision.

I know that major national consumer, professional, and provider organizations are calling for the repeal of this provision or, at a minimum, for a delay in its implementation. For the past six months, these groups have explained that such limits on rehabilitation services are necessary, are not grounded in rational policy, and will carry harmful consequences for Medicare beneficiaries. Despite much discussion, it appears that this Congress will conclude its work without addressing the $1,500 Medicare cap issue.

I share the concern that many Medicare beneficiaries are at risk of losing access to

need outpatient therapy services after January 1, 1999. I urge my colleagues to investigate the consequences of this pending change in Medicare payment and remedy the situation before it begins to cause serious harm to beneficiaries with disabilities and chronic health conditions and their families.

MISPRINT ON THE STATEMENT OF MANAGERS ON S. 1260

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. DINGELL. Mr. Speaker, as Ranking Member of the Committee on Commerce and one of the conferees appointed on behalf of the House (September 16, 1998, CONGRESSIONAL RECORD at H7888), I rise to bring to the attention of the House a matter involving the conference report on S. 1260, the Securities Litigation Uniform Standards Act of 1998, and to correct the record.

The circumstances surrounding the publication—first of an incomplete conference report, and then of a conference report appending extraneous material—may be just another mix-up by the gang that couldn't shoot straight. On the other hand, worse.

To wit, the joint explanatory statement of the committee of conference on S. 1260, both as printed by the Government Printing Office (GPO) in Report No. 105–803 and as it appeared in the CONGRESSIONAL RECORD for Friday, October 9, 1998 at H10270, was incomplete. The final page mysteriously disappeared. Curiously, this page contained important language regarding scienter, recklessness, and the pleading standard applied by the Second Circuit Court of Appeals, language essential to the conference agreement. Even more mysterious, the official papers filed in the Senate on October 9th were complete and did contain the final page.

In order to clarify this situation, a star print of the complete conference report has been ordered from GPO. Also, during House consideration on October 13th, Commerce Committee Chairman BLILEY asked unanimous consent to include in the RECORD ''a complete copy of the conference report on S. 1260'' and made the following remarks:

> When the conference report was filed in the House, a page from the statement of managers was inadvertently omitted. That page was included in the copy filed in the Senate, reflecting the agreement of the managers. We are considering today the entire report and statement of managers as agreed to by conferees and inserted in the RECORD.

Therefore, the complete joint explanatory statement of the committee of conference begins on page H10774 of the CONGRESSIONAL RECORD for October 13, 1998 and concludes on page H10775 where the names of the House and Senate Managers appear. The unidentified material that follows the names of the Managers, although erroneously printed in the same typeface as the conference report, an error that has been corrected by reprinting the material in the appropriate typeface and identifying its source in the October 15, 1998 CONGRESSIONAL RECORD at H11021–22, is not part of the conference report's joint explanatory statement and does not represent the views of the Managers. In point of fact, the phantom language directly contradicts the joint explanatory statement (the Statement of Managers).

In any event, it is the conference report itself, in particular the Statement of Managers, and not the dissenting views expressed by one or more Members, that reflects the agreement of both Senate and House conferees as to the bill's intended operation and consequences. The language of the Statement of Managers could not have been more clear and direct as to the bill's ratification of uniform pleading and liability standards:

> It is the clear understanding of the Managers that Congress did not, in adopting the Reform Act, intend to alter the standards of liability under the Exchange Act . . . Additionally, it was the intent of Congress, as was expressly stated during the legislative debate on the Reform Act, and particularly during the debate on overriding the President's veto, that the Reform Act establish a heightened uniform Federal standard on pleading requirements based upon the pleading standard applied by the Second Circuit Court of Appeals.

The Statement of Managers on S. 1260 clarified confusion arising from the Statement of Managers on the 1995 Securities Litigation Reform Act. The 1995 Statement of Managers noted that the language of the pleading standard was ''based in part on the pleading standard of the Second Circuit.'' However, the 1995 Statement of Managers also contained some murky language which, as the gentleman from Massachusetts, Mr. MARKEY, has correctly noted was slipped into a footnote by a staffer at the last minute without our knowledge or concurrence (October 13, 1998 CONGRESSIONAL RECORD at H 10782), to the effect that the conferees ''chose not to include in the pleading standard certain language relating to motive, opportunity, and recklessness.'' Largely, as a result of this language, the President vetoed the 1995 Reform Act for fear that it might be construed to mean that Congress was adopting a pleading standard even higher than that of the Second Circuit. Congress overrode the President's veto. As is apparent from the post-veto debate in both the House and the Senate, Congress did so, not because Congress wanted a pleading standard higher than the Second Circuit's, but because the pleading standard adopted in the Reform Act was, in fact, the Second Circuit standard.

Nevertheless, uncertainty and confusion quickly emerged in various District Court cases, to the delight of those who sought to undermine what the majority of Congress had concluded the pleading standard should be, but to the grave disadvantage of investors. Because of this uncertainty, the Administration and the SEC insisted that Congress restate the applicable liability and pleading standards of the 1995 Reform Act in the legislative history of this bill. That restatement was necessary to the legislative history of this bill because the liability and pleading standards from the 1995 Reform Act will apply to the class actions that are covered by S. 1260. The White House wrote to Senators D'AMATO, GRAMM, and DODD on April 28, 1998 that the Administration would support enactment of S. 1260 only ''so long as amendments designed to address the SEC's concern are added to the legislation and the appropriate legislative history and floor statements of legislative intent are included in the legislative record,'' noting that ''it is particularly important to the President that you be clear that the federal law to be applied includes recklessness as a basis for pleading and liability in securities fraud class actions.'' Only after the Managers clarified that the 1995 Reform Act had not altered the substantive liability standards that allow investors to recover for reckless misconduct and that the Reform Act had adopted the Second Circuit pleading standard did the SEC agree to support enactment of S. 1260. The SEC's letter of October 9, 1998 to Senators D'AMATO and SARBANES states:

> We support this bill based on important assurances in the Statement of Managers that investors will be protected. . . . The strong statement in the Statement of Mangers that neither this bill nor the Reform Act was intended to alter existing liability standards under the Securities Exchange Act of 1934 will provide important assurances for investors that the uniform national standards created by this bill continue to allow them to recover losses caused by reckless misconduct. The additional statement clarifying that the uniform pleading requirement in the Reform Act is the standard applied by the Second Circuit Court of Appeals will likewise benefit investors by helping to end confusion in the courts about the proper interpretation of that Act. Together, these statements will operate to assure that investors' rights will not be compromised in the pursuit of uniformity.

The Second Circuit standard allows plaintiffs to allege facts showing either (a) the defendant had a motive and opportunity to engage in the fraud, or (b) the defendant acted either recklessly or knowingly. Dissenters argue that Congress meant to eliminate allegations of motive, opportunity and recklessness. This is flat wrong. It is simply not logical or believable to argue that we adopted a pleading standard ''based upon'' the Second Circuit standard, but yet rejected allegations of motive, opportunity, and recklessness—core elements of that standard. Allegations of recklessness or motive and opportunity continue to suffice as a basis to plead fraud. This is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and honest securities markets.

TRANSFERRING THE OFFICE OF MOTOR CARRIERS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WOLF. Mr. Speaker, I rise today to bring to the attention of the House an important development in the safety of our nation's highways: transferring the Office of Motor Carriers (OMC) from the Federal Highway Administration (FHWA) to the National Highway Traffic Safety Administration (NHTSA).

Mr. Speaker, as the members of the body know, the Office of Motor Carriers monitors an important component of our country's economy: the trucking industry. Not only does OMC monitor and enforce compliance with rules, regulations, and laws, it is expected to improve the safety of trucks that share the road with passenger vehicles.

After learning alarming statistics about truck safety violations and truck accident rates, the House transportation appropriations subcommittee included a provision in the FY 1999

Department of Transportation appropriations legislation to transfer OMC to NHTSA. Our Senate colleagues agreed. That office transfer, in my opinion, is not only bold, but necessary. It will save lives.

Now, we see, though, that the trucking industry lobby convinced some in Congress to strike the transfer provision from the omnibus appropriations legislation, which includes the transportation spending bill. I am extremely disappointed that the OMC provision has been dropped.

I understand that assurances have been given that comprehensive hearings to investigate truck safety will be held early next year on this critical safety issue in both the House and Senate authorizing committees. I pledge, too, that the House transportation appropriations subcommittee will not let this matter drop. We will also hold hearings on highway and truck safety and how the mission of OMC could be enhanced by transferring the office to NHTSA.

In addition, because the issue of truck safety is literally one of life and death, I have written the Inspector General at the Department of Transportation and the General Accounting Office asking that both investigate the truck safety issue. Copies of those letters are submitted for the record. I continue to believe that the Office of Motor Carriers should be transferred to the nation's top highway traffic safety office, and our colleagues should know that this matter will continue to be at the top of our agenda.

With regard to the trucking industry, there can be no higher priority than improving safety. However, it is not clear that the industry believes safety is its number one priority. Let me share some alarming statistics with you:

Commercial trucks represent just 3 percent of all registered vehicles in the United States, but they were involved in 13 percent of the total traffic fatalities in 1997.

Over the past ten years, the fatal accident rate for all vehicles has been declining. However, commercial motor vehicle accidents, fatalities, and fatality rates are increasing. Last year 5,335 people died on U.S. roads in accidents involving heavy trucks. The national figure reflects a 4.5-percent increase in truck-related deaths from the prior year and is this decade's highest one-year tally so far.

One out of eight traffic fatalities in 1997 resulted from a collision involving a large truck. Large trucks are more likely to be involved in fatal, multiple vehicle crashes.

Over the past eight years, the Department of Transportation's Federal Highway Administration has not been able to significantly reduce the number of commercial motor vehicles or drivers operating on our roadways that are not fit to be in service. One in five trucks is operating with mechanical defects so serious that the truck is legally not allowed to continue the trip until the problems are corrected. Eight percent of the drivers are placed out-of-service. Neither of these statistics has altered significantly since 1990.

In 1997, the Virginia State police conducted 42,256 motor carrier inspections. Of those trucks inspected, the state police found 25,221 defects (60 percent) and 19,861 drivers in violation (46 percent). I submit for the RECORD a report I received from the Virginia State Police with those alarming statistics.

The Department of Transportation's Inspector General (IG), in a review of the motor carrier safety program, concluded

> that FHWA's enforcement efforts were not effective in inducing prompt and sustained compliance with regulations and safe on-the-road performance. Seventy five percent of the carriers sampled did not sustain a satisfactory rating, and after a series of compliance reviews, 54 percent of the carriers had vehicle out-of-service rates from roadside inspections higher than the national average.

There is a growing concern that trucks are dangerous. I want to be clear, though, that I believe many in the trucking industry work hard to maintain safe trucks. To be sure, however, there are a number of trucks operating on the nation's highways which are unsafe and dangerous. This concern is worsened by the fact that most of the fatal injuries in trucking accidents are to the occupants of the other, typically smaller, vehicle. It is because of these concerns that I, as chairman of the House Appropriations Subcommittee on Transportation, recommended moving OMC from FHWA to NHTSA, because the functions of OMC are much more closely aligned with those of NHTSA. The National Highway Traffic Safety Administration as its name implies, is focused on safety.

Moving OMC to NHTSA would strengthen and consolidate the Department of Transportation vehicle safety programs. A single modal administration can provide a more consistent and synchronous safety program and agenda. An agency with a consolidated safety focus will see the entire safety picture rather than a system where one agency looks at truck safety and another looks at passenger care safety, as is currently in place. After all, trucks and cars share the same roads.

With the striking of the OMC transfer provision, I believe, safety will be diminished and lives will be lost. More accidents will occur like the one last month in Knoxville, Tennessee. According to the accident report, a tractor-trailer came upon traffic stopped because of construction several miles ahead. The truck, running at almost 70 miles per hour, ran into the back of a sport utility vehicle, knocking it into a concrete barrier; sideswiped another tractor trailer while swerving into the right hand lane; and smashed into the back of a van, pushing it into the trailer of a third truck in front. The van immediately exploded. The lone occupant of the sport utility vehicle and the lone occupant of the van were killed immediately. None of the truck drivers were injured. This is emblematic of the fears most Americans hold for heavy trucks every day they are on the Nation's highways.

Knowing that information about trucks on our highways just increases my disappointment that the office transfer will not occur this year. My view that such a move will save lives is also shared by The Washington Post, which said in a September 19, 1998, editorial:

> The office of motor carriers is responsible for truck safety requirements such as the length and weight of the vehicle and the time a trucker may drive; the logical home for this office is in the agency that deals with other vehicle safety issues.

The full editorial is submitted for the RECORD.

Our colleagues should also know I received a recent letter from an employee at OMC who said,

> I just want you to know that you have a great deal of support from the actual workers within the Office of Motor Carriers. *** [T]he average investigator completes 1 compliance review per month. Last year it was 2.5 compliance reviews per month and the year before it was more than five compliance reviews per month and so forth. *** I think OMC should get moved to NHTSA. Clearly, nobody at the top within the FHWA recognizes the importance of compliance and enforcement. According to the impact assessment model developed within OMC, compliance reviews save lives. Why aren't we doing enough of these? ***

Mr. Speaker, indeed, why aren't we doing enough? I pledge to our colleagues that we will focus our effort and energy next year to shining the spotlight on truck safety in America, and to finding the answer to that critical question.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 20, 1998.

Mr. KENNETH MEAD,
Inspector General, Department of Transportation, Washington, DC.

DEAR MR. MEAD: I am writing to request that the Inspector General (IG) update its 1997 audit report on the Motor Carrier Safety Program. On March 26, 1997, you concluded ''that FHWA's enforcement efforts were not effective in inducing prompt and sustained compliance with regulations and safe on-the-road performance. Seventy five percent of the carriers sampled did not sustain a satisfactory rating, and after a series of compliance reviews, 54 percent of the carriers had vehicle out-of-service rates from roadside inspections higher than the national average''.

I have received information from Federal Highway Administration (FHWA) employees who are concerned about the level of compliance and enforcement activities being conducted. This letter states that ''[T]he average investigator completes 1 compliance review per month. Last year, it was 2.5 compliance reviews per month, and the year before it was more than 5 compliance reviews per month''. Information our Subcommittee has obtained from the Federal Highway Administration confirms this decline. I am concerned that this is having a negative and growing impact on truck safety. Your investigation should address, but not be limited to, the following areas:

1. A review of the number of compliance reviews conducted by FHWA in fiscal years 1995, 1996, and 1997. As part of this investigation, the IG should determine whether or not FHWA has targeted poor performance carriers for these compliance reviews and what impact these reviews have had on the overall safety ratings of these carriers.

2. An analysis of the enforcement actions taken by FHWA to determine whether or not the enforcement program has been strengthened since your earlier audit.

3. A determination of the adequacy of the penalties assessed for continued noncompliance.

I would appreciate a briefing on this issue prior to our hearing on the Federal Highway Administration's 200 federal appropriations, which is tentatively scheduled for late February or early March, 1999. A report should follow shortly thereafter.

If you have any questions about this request, please contact Stephanie Gupta of the Subcommittee staff on (202) 225–2141.

Sincerely,

FRANK R. WOLF,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 20, 1998.

Acting Comptroller General JAMES HINCHMAN,
General Accounting Office,
Washington, DC

DEAR MR. HINCHMAN: There is a growing concern that trucks are dangerous. Currently, commercial trucks represent just 3 percent of all registered vehicles in the United States, but they are involved in 13 percent of the total traffic fatalities. Over the past ten years, the fatal accident rates for all vehicles have been declining; however, commercial motor vehicle accidents, fatalities, and fatality rates are increasing.

I am writing to request that the General Accounting Office conduct an investigation on the effectiveness of the Federal Highway Administration's motor carrier safety program in reducing truck accident and truck safety violations in the United States. This review should focus on trends since 1990.

I would appreciate a briefing on this issue prior to our hearing on the Federal Highway Administration's 2000 federal appropriations, which is tentatively scheduled for late February or early March. A report should be issued by June, 1999.

If you have any questions about this request, please contact Stephanie Gupta of the Subcommittee staff on (202) 225–2141

Sincerely,

FRANK R. WOLF,
Chairman.

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF STATE POLICE,
Fairfax Station, VA, August 28, 1998.

Hon. FRANK R. WOLF,
Herndon, VA.

DEAR CONGRESSMAN WOLF: On August 26, 1998, members of the Coalition for Safe Roads met with you at your Herndon office to discuss legislation relative to trucks with triple trailers using our highways. I was invited to attend, and spoke to you about the number of motor carrier checks our troopers had conducted during 1997.

During the meeting you expressed interest in the statistical information the Virginia Department of State Police had concerning motor carrier checks and the drivers and trucks/buses placed out-of-service. I have outlined below statistical information for both the entire State of Virginia during the calendar year of 1997:

Inspection summary	Statewide	NOVA
Inspections conducted	42,256	13,915
Drivers in violation	19,861	5,250
Defective vehicles	25,221	7,721
Drivers taken out-of-service	3,627	1,034
Vehicles taken out-of-service	8,982	3,117
Out-of-service violations	18,692	6,262
All other violations	90,269	24,660

The all other violations row above includes all deficiencies found, and an arrest, summons or warning was given.

I greatly appreciate the opportunity to speak with you about the issue of highway safety specifically as it relates to trucks and tractor-trailers. Your support for highway safety is most important in providing America's citizens a safe means of travel. If my staff or I can be of assistance to you, we may be contacted at 703–323–4500.

Thanks again.

Sincerely,

DONALD P. GARRETT,
Captain,
Division Seven Commander.

[From the Washington Post, Sept. 19, 1998]

ROAD SAFETY—AND HILL PITFALLS

A House-Senate Transportation appropriations conference is wrestling to resolve differences over two important highway safety issues that shouldn't even be in dispute: the identification of trucks carrying agricultural chemicals, and a proposal to consolidate federal highway safety responsibilities under a single agency best organized to do the job.

The battling over hazardous-materials warnings has to do with a federal requirement that, effective Oct. 1, trucks carrying agricultural chemicals such as fertilizer, pesticides, herbicides and insecticides must carry placards identifying the material on board and providing an emergency telephone number. Rep. Frank Wolf (R-Va.), chairman of the transportation appropriations subcommittee in the House, explains that the placards will provide emergency response teams with important information on the substances they are called upon to handle. For instance, a truck carrying topsoil should be handled quite differently from one transporting ammonium nitrate.

In the Senate bill, an exemption to the placard requirement has been granted for a number of states. Opponents claim the identification requirements burden farmers. It can't be much of a financial burden, through: Advocates for Highway and Auto Safety, which supports the requirement, calculates the cost of 58 cents a placard. The lack of a placard advising rescue teams of what is on board could cost lives. Dozens of national and local firefighting units oppose any weakening of the provisions.

The second proposal involves more than a mere shift of boxes on federal agency flow charts. It would relocate the Transportation Department's Office of Motor Carriers—which oversees trucking laws—from the Federal Highway Administration to the National Highway Traffic Safety Administration, which focuses on safety. The point: The office of motor carriers is responsible for truck safety requirements such as the length and weight of the vehicle and the time that a trucker may drive; the logical home for this office is in the agency that deals with other vehicle safety issues.

ON EDUCATION AND DRUGS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SOLOMON. Mr. Speaker, there is something missing from the recent education debate . . . and what is missing is President Clinton's record on illegal drugs and its effect on the America's education system.

The media seem to buy the Democrat's claim that they care more about education than do Republicans. What seems to be missing from this debate—or what the media seems willing ignore is the fact that illegal drug use by school age children has doubled since President Clinton took office. Studies show that illegal drug use—including marijuana—robs students of their motivation and self-esteem, leaving them unable to concentrate and indifferent to learning.

There is not a parent in America who sends their children off to school without worrying that they will become exposed to illegal drugs. And it's not just teenagers anymore.

Parents are now concerned about their 6th, 7th and 8th grade children getting involved with illegal drugs. Since 1992, marijuana use has jumped 150% among 12 and 13 year old students and 300% among high school students.

For the first time, more than half of all middle-school students report that illegal drugs are used, kept and sold at their schools.

During the Reagan/Bush years drug use dropped, from 24 million individuals using drugs in 1979 to 11 million in 1992. These hard fought gains were wasted by President Clinton.

The number one reason young people drop out of school is because of their involvement with illegal drugs. In a study conducted among a sample of 9th to 11th graders, more than half of the heavy drug users dropped out—twice the rate of those who are drug free.

Studies also show that students involved with drugs are four times more likely to receive poor grades than are drug free students. The rise in illegal drug use also correlates closely with rising school violence.

Today in America, one third of high school students smoke pot. The message we need to send America's parents and grandparents in the education debate is that President Clinton has earned a failing grade in keeping illegal drugs out of the hands of their school aged children and grandchildren.

You cannot claim to be an education President while ignoring rising illegal drug use in America's schools.

LATIN AMERICA: CHALLENGES TO STABILITY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, as 1998 draws to a close, four countries in the Western Hemisphere bear close observation. Events taking shape in those nations could have a substantial impact on the region's stability, the pace of democratization and the success of economic reform. These nations worth watching include: Brazil, Colombia, Venezuela and Paraguay.

BRAZIL

As the contagion of the ''Asian/Russian'' financial crisis spreads into Latin America, the next three months could be critical to the economic and political stability of the hemisphere. All eyes are currently focused on Brazil and its attempts to stave off the effects of the Asian flu. A major financial downturn in Brazil, the region's third largest economy and the world's ninth largest could spell economic trouble throughout the entire region, including within the United States.

Brazil is by far the most important economy in South America. With a population of 157 million, Brazil's Gross Domestic Product (GDP) stood at approximately $806 billion in 1997. Brazil accounts for some 45 percent of all Latin America's GDP. U.S. banks have some $34 billion in outstanding loans to Brazil and over $100 billion in Latin America. U.S. private investment in Brazil stands at $25 billion and trade between the U.S. and Brazil ranges around $16 billion. Since August, however, Brazil's stock market has plunged 40 percent and its cash reserves have plummeted $30 billion.This, in turn, has forced interest rates up to 50 percent and has resulted in a budget deficit of 7 percent of GNP, twice what it was when Cardoso first took office. Deficit spending has led international and domestic short term investors to pull out of Brazil

in record numbers. Finally, the nation's currency, the ''Real'', is considered overvalued but stable.

In the midst of all this turmoil, Brazil held elections on October 3rd for president and parliament. These elections marked a very significant transition for Brazil in that President Cardoso became the first civilian president since military rule both to take over from a civilian predecessor as well as to succeed himself in office. He won this election with roughly the same percentage of the vote as he did four years ago.

President Cardoso, a former university professor, is the inflation-taming engineer of the country's economic turnaround which has been faltering of late. The current economic crisis is due to effects from the Asian crisis, as well as from a still bloated state sector and a very generous pension system. The voters, however, chose not to blame him for the crisis, but rather the global economic circumstances. Mr. Cardoso has remained for the most part on message regarding Brazil's commitment to free market reforms and the IMF's and other lenders' demands for continued austerity and reform. His new economic plan calls for spending cuts of over $20 billion, some tax increases and a reform of the nation's pension system. The IMF has readied a $30 billion package of international credit.

Unfortunately, Cardoso's tenactity may not be matched by the same attitude in his legislature; the President still must negotiate with a parliament that has many reasons to oppose further reforms and austerity. Nevertheless, his job may have been made slightly easier with the recent elections for parliament. While his five-party coalition actually lost a few seats overall, the President's hand was strengthened in that his own party increased its representation within the coalition, and the more moderate leftists increased their representation among the opposition. In short, Mr. Cardoso should have greater control over his coalition, and the left might be more willing to cooperate. The wild cards are the fact that almost half of the new parliament, to be seated in February, will be freshman whose loyalties are not known, the role the powerful governors will play in securing local support for reform, and the fact that the most important measures, pension and civil service reform, require constitutional reform and thus three-fifths votes. To that end, the President is considering a proposal to hold a constituent assembly next year to permit changes to the constitution by a simple majority vote in the Parliament.

Brazil's economic fate will spell either relief or trouble for the rest of Latin America. If the Brazilian government can keep the economy from sliding further and can initiate major economic reforms, then as the situation stabilizes, international investors will return to Brazil, thus avoiding the dramatic consequences experienced by Asia and Russia.

COLOMBIA

On June 21, the Colombian people voted in record numbers and elected Andres Pastrana as their new President. The large turnout of voters was seen as an expression of support for a peaceful resolution of the conflict which has engulfed all of Colombia for the past four decades.

President Pastrana has taken over a country in which a guerrilla force of 20,000 armed solders has fought the government to a military standstill with neither side capable of securing a final battlefield victory. The guerrillas, who are financing their war effort largely from the narcotics trade, have grown stronger and inflicted serious defeats on the military in 1998. The Colombian army has been demoralized through its battlefield losses and is still regarded as ill equipped and ill-trained to continue to wage a prolonged war. U.S. assistance to the military, desperately needed, is restricted under a U.S. congressional mandate that allows aid to go only to units cleared of human rights violations. In addition to the guerrilla war in certain parts of the country the government has ceased to function and law and order has long since disappeared. The rise of paramilitary armies, which have waged an indiscriminate war against the civilian population in the name of fighting the guerrillas, and who also draw financial support from an involvement in the drug trade, have injected a new level of violence which can not seem to be controlled by the government.

Even before taking office, President-elect Pastrana, attempted to fulfill this principle campaign pledge of bringing an end to the 38 years of internal guerrilla war by meeting secretly with the leader of the largest guerrilla group, the FARC were they discussed the possibilities for peace. Upon taking office on August 7, 1998, President Pastrana announced that peace talks with the guerrillas would begin in November and that, as a preclude to those talks, he was embarking on a bold plan to turn a large swath of central Colombia into a temporary ''demilitarized zone'' in which peace talks with the two main guerrilla groups could commence.

To that end, on October 15, President Pastrana announced that some 4,000 Colombian soldiers would begin withdrawing from the ''zones'' which would be totally demilitarized by November 7. The demilitarization of these ''zones'' would last until February, depending upon the success of the talks. This plan has been both hailed as a bold gamble, which could lead to a substantial amount of good-will among the guerrilla leadership, as well as criticized as a guerrilla trick which would only serve to allow the guerrillas to use the ''zones'' and the time to rearm and retrain their forces for a major military push next year. And, while fighting within the ''zones'' will apparently cease, there is no general nationwide cease-fire which is expected to result in the guerrilla and Colombian military units continuing to battle in other parts of the nation even as this long peace process continues forward.

Internal reaction to President Pastrana's plan has been one of cautious optimism among the populace. Except for inside the ''zones'', which had been subject to considerable guerrilla influence anyway and where the population is nervous about living under de facto guerrilla control, the move is seen as a necessary gambit to test the intentions of the guerrillas to seek peace. Even the military, which has expressed its doubts, now realizes that it, too, can use the time to concentrate forces in other parts of the country or to rearm and retain their forces in the event these talks break down and fighting escalates.

U.S. reaction to the plan has been mixed. President Pastrana must be given the benefit of the doubt and supported in his attempts to carry out his mandate of peace in the manner he believes is best. However, concern has been expressed over his plan's impact on the counter narcotics program within the country. The Pastrana government insists that very little antinarcotics activity has been carried out by the police in the ''zones.'' However, there has been a substantial amount of drug activity reported in those areas. Some in the United States have warned the Colombians not to allow the ''zones'' or the peace talks to interfere with the anti-drug campaign.

The peace talks are set to begin in early November. The U.S., and all of Latin America, will be watching the progress of these discussions very closely as well as the activities of the guerrilla forces outside the ''zones.''

VENEZUELA

Venezuela, suffering a severe economic crisis due to a crippling drop in world oil prices, faces perhaps its most severe political test since the attempted military coup of 1992, when it will hold legislative elections in Early November and a presidential election early in December. These elections represent a turning point for Venezuela, but this turning point contrasts sharply with that of Brazil. For the United States, the outcome could cause significant trouble since over 50 percent of our oil imports come from Venezuela.

Ironically, the 1992 coup leader, retired Lt. Col. Hugo Chavez, who was pardoned by current President, Caldera after spending two years in prison, is posed to win the December 6th Presidential elections. it is reported that he may have some ties to leftist guerrillas in Colombia as well as in his own country; and he has at various times vowed to ''deep fry the heads'' of his opponents. Even more problematic, he has, on occasion, vowed to cut off most of the nation's financial and trading relationships with other countries, including its lucrative oil industry contracts. Recently, as the election nears and his lead has slipped a bit and the United States grows more nervous, he has tried to soften his rhetoric by promising to maintain Venezuela's thriving, partially privatized oil industry. But critics are not impressed, especially when they consider his group of advisers: a group of extremists of both the left and the right.

Also worrisome is the fact that the military is divided over his candidacy. Many of the junior officers down to the rank and file see him as much of the country's poor see him: as a new generation politician. But the higher ranking officers regard him as the middle and upper classes of society see him: as a self-infatuated egoist bent on nationalizing what is left of Venezuela's economy and upsetting the country's tenuous social cohesion, regardless of whether or not he really wants to help the poor and root out the notorious corruption of Venezuelan politics.

The traditional parties, viewed from within a large part of Venezuelan society as extremely corrupt and discredited, are given little chance of defeating Chavez. The chances of the many other independent candidates for president (including a former beauty queen) of winning are almost non-existent. So far, the two major political parties, the AD and COPEI, as well as some of the smaller parties, have focused on the legislative and gubernatorial elections as a way to secure a power base.

This year the government separated the legislative and local elections from the presidential election so that they might, by virtue of a lower turnout and their very panicked and thus motivated base, hold onto power in the national legislature and at the regional and local level. It is too early to tell whether they

will achieve this, but if they do it could well set the country up for a showdown between a victorious Chavez and all the rest of the country's governmental system.

U.S. observers see only one possible option: that after the November elections, all independent candidates for president will coalesce around one candidate, perhaps, the pro-business and pro-reform successful former governor, Henrique Salas Romer. He is currently second in the polls, but still not within striking distance. Moreover, this scenario is not without danger: if the lower classes perceive that the middle and upper classes are cooperating to defeat their candidate that may energize even more dedicated voters for Chavez and increase their resolve to turn out on election day. Worse, if Chavez loses after leading in the polls for so long and by so much, he has already said he will blame fraud and order his ''troops'' into the streets. Chavez has already accused the head of the army of plotting to deny the election to Chavez which in Chavez's words could ''provoke civil war.'' This could set off a period of violent instability throughout the country.

PARAGUAY

On May 10, Paraguay held only its second democratic election for President since the end of the 35-year dictatorship of General Alfredo Stroessner. The election of Raul Cubas Grau represented the first civilian leader to succeed another as Paraguay's President. But the Administration of President Cubas, barely three months old, faces a potential constitutional crisis which threatens the struggling democracy. This crisis has been precipitated by the role of the real beneficiary of Paraguay's recent elections—former General Lino Oviedo.

In April 1996, after a brewing internal feud between then-President Juan Carlos Wasmosy and General Lino Ovieda, head of the Paraguayan armed forces, Ovieda was fired. Not willing to go quietly, General Ovieda retired to his barracks and staged what was described as a modest coup attempt against President Wasmosy, calling for the President to step down. However, the situation was considered serious enough that representatives of Paraguay's neighboring counties and the Secretary General of the OAS felt it necessary to intervene to convince General Ovieda to end his rebellion. As a result of the intervention, a compromise was reached in which General Ovieda would end his coup and retire, and would then be given the portfolio of Minister of Defense. Ovieda agreed and the rebellion ended. However, in the ensuing period, public opposition arose against the deal, and the General, leading President Wasmosy to void the agreement. General Ovieda left the capital vowing to run for President.

In 1997, in preparation for the upcoming elections, a split developed within the ruling Colorado political party, which had governed Paraguay for more than 50 years. The debate pitted sitting President Juan Carlos Wasmosy and his choice of a successor, Luis Argana, against the resurgent former General, Ovieda, who had formed his own party within the Colorado organization. In September of 1997, in a surprise which shocked everyone observing Paraguay, General Ovieda won the Colorado party nomination for President. He nominated Raul Cubas as his candidate for Vice-President and embarked on an ambitious and skillful campaign.

In December of 1997, President Wasmosy, not wishing to turn control of the government over to his arch enemy, General Ovieda, had Ovieda arrested on charges of sedition related to the 1996 attempted coup. In February, 1998, a Wasmosy-appointed military tribunal convicted Ovieda and sentenced him to ten years in prison. In mid-April the Supreme Court upheld the tribunal's sentence which automatically nullified Ovieda's candidacy and threw the Presidential campaign into disarray. The Colorado party then elevated Raul Cubas to be the Presidential candidate and appointed Luis Argana as Vice Presidential candidate. On May 10, Raul Cubas was elected President of Paraguay, but the vote was seen more as a vote for Ovieda than for Cubas.

After his election, Cubas indicated that one of the first things he would do would be to free ex-general Ovieda from jail. In reaction, the parliament passed a law limiting presidential pardons by stating that a prisoner had to serve at least half of his sentence before being granted a pardon.

Shortly after taking office on August 15, and despite the new law, President Cubas announced that he was commuting Ovieda's ten-year prison sentence and would release him from jail. This action has set off a chain reaction of events which has threatened the very foundation of Paraguay's politics and its democracy. Immediately after his decision to commute the sentence, a group of opposition lawmakers in the Parliament petitioned the Supreme Court to overrule the pardon and to order Ovieda back to prison. In addition, several lawmakers began searching for a way to have President Cubas impeached. And, several members of Cubas' cabinet, including the President's brother, the Commerce Minister, resigned in protest.

The Supreme Court is currently trying to decide whether to hear the petition to overrule the Presidential pardon. However, it is reported that Ovieda has threatened reprisals against anyone trying to uphold the Parliament's petition and is preparing to defend himself against any attempts to do so. It is unclear whether President Cubas would uphold the laws of the state and would permit the rearrest of Ovieda should the Supreme Court rule that way. It is also reported that President Cubas may be threatening the four Supreme Court Justices who have not yet attained what would be considered lifetime tenure on the Court with those appointments.

This crisis between the executive, the legislature and the court has shaken the foundation of Paraguay's government and could set the stage for a possible military action if the issue is not resolved peacefully. It is incumbent upon the actors in this crisis to resolve their differences so that democracy is preserved, that the separation of powers among the three branches of government is upheld and that the rule of law prevails.

A TRIBUTE TO JANET BROWN

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to my Administrative Assistant, Janet Brown. In a few short weeks Janet will be leaving my office for the greener, or perhaps whiter, pastures of Minnesota. Janet and her fiance, Don Kitson, are planning a wedding next year and will soon start the construction of their own airplane. I am certain that Don and Janet have a wonderful future ahead of them—if she can survive five years of working for me, she can survive at least fifty-five years of marriage with Don.

We all recognize the importance of congressional staff. Unfortunately, far too many of them come and go on short notice. Fortunately for my office and the constituents of the Fourth Congressional District of Wisconsin, Janet has not simply come and gone. Instead, she has sacrificed herself for all of us, be it through long hours at the office, helpful advice to a colleague, or timely service for a constituent.

Janet has been a model of perseverance and dedication. In 1993, Janet came to work for me as a Staff Assistant and she leaves as my Administrative Assistant. In those five years, Janet has held nearly every position in my office. I am sure there were many times Janet went home, frustrated after a long day at the office, determined to move on to another job. To her credit, Janet always returned the next day with a smile on her face, eager to work.

Janet is also a breast cancer survivor. Instead of succumbing to this awful disease, Janet conquered it. She never doubted her ability to persevere, and she is stronger person for it. More important, Janet now lends her time to help other women who have been diagnosed with breast cancer.

Because so many of our staff come and go, we get into a habit of thinking that staff are interchangeable parts—if someone leaves, another will step in and take their place. Some staffers do not stay in one place long enough to make an impression, others are harder to replace because of their special qualities. And there are a select few like Janet Brown who are never truly replaced.

Because Janet has held nearly every position in my office and has faced such difficult challenges, the other members of my staff constantly turn to her in times of need. Persons new to the office look to her for advice, and veterans appreciate her unique ability to be both a colleague and friend. When Janet departs my staff in a few weeks, she will be leaving behind an office that is stronger because of her years of service.

Janet has also become a close friend of my family. Just as the other staff members rely on her for help, so do we. Our dog and office mascot Colby will miss the hours of undivided attention he received from Janet. My wife and I truly appreciate all the times Janet has helped us through the last-minute emergencies and scheduling changes that are inherent to a career in Congress. Because of those times Janet will always have a special place in my heart and on my auto insurance record.

Mr. Speaker, I and the entire staff are saying goodbye not only to a truly great professional, but a truly great friend as well. Janet, we wish you the best of luck and our deepest and most heartfelt thanks.

A TRIBUTE TO THE HON. DAN SCHAEFER

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SKEEN. Mr. Speaker, I rise to pay special recognition to the gentleman from Colorado (Mr. SCHAEFER) who is retiring from Congress at the end of the 105th Congressional session.

I am honored and pleased to have served with DAN SCHAEFER throughout my tenure in the House of Representatives. Working together, we have served as members of the minority and majority party in Congress and have always held principle over politics.

We are going to miss Mr. SCHAEFER next session. Throughout his distinguished career in the House, he has served his constituents from Colorado and the United States with honor and distinction.

DAN will be remembered here for many notable legislative accomplishments. Passing the Federal Facilities Compliance Act ensured that those of us with Federal facilities in our districts received the same level of environmental protection as everyone else in the country. He was and is a major player in helping us in New Mexico streamline the bureaucratic process to get the Waste Isolation Pilot Plant up and running—and while we're still not there yet, we're a lot closer today because of DAN SCHAEFER's efforts and I look forward to riding shotgun on that first truck with him.

Mr. SCHAEFER also helped spark the national debate on reforming our nation's tax code. His legislation to eliminate income tax raised a lot of eyebrows, but also raised the national awareness of the mess our tax system is in. I also recall that DAN was talking about a balanced budget long before the majority of our colleagues in Congress. His balanced budget legislation, introduced in the 103rd Congress, was the blueprint for many subsequent bills, and saw its fulfillment in the Balanced Budget Act passed by this Congress.

While I have just scratched the surface of DAN's distinguished career, it is a pretty impressive list of accomplishments. Just as impressive, though, has been DAN's non-legislative accomplishments. As manager of the Republican baseball team, he turned the event from a back-alley pepper game into a major-league success, to the point where the game now gets nationwide radio and TV coverage, and helps support a number of worthy charities in the Washington area. I know I've enjoyed his participation in the Western Caucus and the Wild Turkey Club, where Members facing similar problems and with similar constituencies are able to work through the difficult issues facing Congress in a sober and thought-provoking atmosphere. While Congress as an institution will certainly be poorer without DAN's presence, I also know that many Members will suffer a personal loss from his retirement as well.

In closing, I sincerely wish DAN SCHAEFER and his family all the best and look forward to the day the Colorado Rockies name him as their Manager. Good luck and God bless you DAN, we'll miss you around here.

RETIREMENT TRIBUTE TO BOB BOYER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERMAN. Mr. Speaker, this election day Robert Kent Boyer will be retiring from government service. Bob has been a close friend and colleague to many members and staffers in the Congress. His career has been marked by a long commitment and deep dedication to America's place in the world.

Bob worked his way up from hardscrabble beginnings in Arkansas through perseverance and elbow grease. He served our nation in the United States Air Force before coming to the U.S. Congress as a staffer in 1968. Bob served on the staffs of Senator John McClellan and Representatives Allard, Lowenstein, WILLIAM ROTH and William Mailliard with distinction. In 1971, Representatives Thomas (Doc) Morgan, Chairman of the Committee on Foreign Affairs and Representative Mailliard, the Ranking Minority Member appointed Bob to the professional staff of the full Committee on Foreign Affairs, where he worked for more than 22 years.

During his tenure on the Hill, Bob oversaw some of this nation's most important international work in combating narcotics, improving diplomatic security, fighting terrorism and assisting refugees who were the innocent victims of conflict and disaster.

In 1993 Bob, was appointed as the Senior Deputy Assistant Administrator for Legislative and Public Affairs at the U.S. Agency for International Development, a post he still holds. Bob's sage counsel and abiding knowledge of international affairs has helped USAID make it through some of its most difficult times. I know Bob's colleagues at USAID will miss him every bit as much as we will.

In closing, let me just say that Bob Boyer is genuinely one of the kindest, most warm-hearted and talented people I have had the pleasure to work with. We will miss seeing him in his cowboy boots dispensing advice during the authorization and appropriations process. I wish he and his lovely wife, Sandy, and daughter, Vanessa, the very best in his retirement. He has served the country well and in the best tradition of government servants everywhere.

REGARDING STEEL IMPORTS

SPEECH OF

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. DOYLE. Mr. Speaker, I rise today to urge support for the resolution offered by my colleague from Ohio. Along with my friends from Indiana and Ohio, and many other Members of the House who have been working to get debate and a fair vote on this issue—I am deeply concerned about the current crisis in the U.S. steel industry. We are worried about this steel crisis and we want to send a strong message to the White House.

The U.S. steel industry and its workers are suffering tremendously from reduced orders, as a result of dumping by Asian and Russian producers. But the Administration has not acted to stop this illegal practice.

The Members of the European Union have been smart enough to protect their steel industry from dumping by erecting temporary barriers to steel imports during the financial crisis. Their steel industry will weather this storm.

American steel workers—the most efficient in the world—cannot continue to be besieged by foreign steel products while waiting indefinitely for trade cases to be settled. Damage to the American steel industry is extensive, severe, and rapidly growing.

I want to say that I do think there is a legitimate role for the United States, Japan, the European Union, and others to play, together, to help Russia and the newly industrialized Asian countries get through this economic crisis. But the American steel industry cannot and should not shoulder the burden alone.

Just recently, just in the Pittsburgh area, Riverview Steel in Glassport, and a number of other steel producers have been forced out of business by unfair imports. Steel has already been through tough times in our lifetimes—but the industry has come back more competitive than ever. The current steel crisis is an external, macroeconomic problem that is unfairly impacting American workers. We already have the laws in place to address this problem. We need to act now to stop another hollowing out of American industry, by acting to stop illegal dumping.

This House must act today to urge concrete measures on the Administration to stop the flow of dumped steel. The Traficant Resolution makes the strongly worded statement that needs to be made on this subject. Although it's non-binding, the Traficant Resolution would call on the Administration to investigate these low-priced steel imports for 10 days. If the Asians, former Soviet states, or anyone else is flouting international trade agreements, the President should impose a 1-year ban on steel imports from that country. By asking for these actions, the Traficant Resolution is making a real statement. This is not just some toothless piece of paper that would make this issue go away. Because this issue will not go away.

I urge my colleagues to think over this serious problem, and vote in favor of the Traficant Resolution.

HONORING REVEREND DR. ERIC R. FIGUEROA, SR. BISHOP-DESIGNATE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Reverend Dr. Eric R. Figueroa, Sr. Bishop-Designate. A man of vision, devotion and tireless service to others in the spirit of God.

Reverend Dr. Eric R. Figueroa, Sr. was born on February 15, 1954 in New York, NY and is the oldest of three children born to Elder Ronald L. Figueroa and Mother Minnie M. Figueroa. He is the husband of Evangelist Doreen Figueroa for 23 years, and the father of three anointed and marvelously gifted children, Timiney, Anaysha and Eric Jr.

Reverend Dr. Figueroa is a graduate of Boys High School, Hunter College and Manhattan Bible Institute with honors. In his continued pursuit of academic and spiritual excellence, he received a Doctorate in Divinity from the National Theological Seminary of the Commonwealth University of St. Louis, Missouri and a Doctorate of Theology from the St. Paul Bible Institute.

As a child, Rev. Figueroa enjoyed the benefit of a spiritual nurturing environment—living in a household surrounded by Spirit filled believers. His spiritual renaissance occurred at the Institutional Church of God in Christ under the Pastorate of Bishop Carl E. Williams, Sr. While at Institutional, he worked in numerous positions serving the Savior and the church well.

Acknowledging his call to the ministry in August of 1976, the inevitable happened, he followed in the lineage of his grandfather, the late Reverend David A. Figueroa, Sr., Pastor of the Mount Zion Pentecostal Faith Church and his father, Reverend Ronald Figueroa, Assistant Pastor of the New Life Tabernacle, making him the third generation of preachers. In 1978 he was ordained as an Elder by Bishop Carl E. Williams, Pastor of the Institutional Church of God in Christ International.

The Reverend's unique and inclusionary character and ministry forged interdenominational relationships that transcended traditional religious barriers, walls and spiritual stereotypes in an effort to advance the Kingdom of God. His skillful presentation of the Gospel and his sense of civil and community duty has brought him to the attention and demand of many distinguished religious and political organizations who have benefited from his expertise.

In January 1998, the Presiding Prelate, his Eminence, Bishop Carl E. Williams Sr. and the Board of Bishops of the Church of God in Christ International, officially proclaimed Reverend Dr. Eric R. Figueroa Sr. as Bishop-Designate in the Lord's Church.

After several years of fruitful Evangelistic Ministry, Dr. Figueroa organized and founded the New Life Crusade Ministry in 1981. As this phase of ministry developed it was evident that God had higher heights destined for the ministry. In 1983 God gave Rev. Figueroa a vision for a church called New Life Tabernacle. On August 21, 1983 New Life Tabernacle was founded with seven members dedicated unto the Lord. Over the past 15 years New Life Tabernacle has grown in numbers, exceeding a membership of 400.

Mr. Speaker, I ask you and my colleagues from both sides of the aisle to join me in saluting Reverend Doctor Eric R. Figueroa, Sr. Bishop-Designate.

TRIBUTE TO STUDENTS OF ELDERTON HIGH SCHOOL

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MURTHA. Mr. Speaker, I would like to take this opportunity to share with you and my colleagues a very uplifting story about an extraordinary group of young people in Elderton, Pennsylvania.

Two years ago, under the guidance of some very enthusiastic and involved high school teachers and the sponsorship of the Armstrong-Indiana County Intermediate Unit, a group of six high school students started a program called Applebee Pond. The program, which was created by the Mercer County Drug and Alcohol Commission, Inc., involves a puppet show performed by a group of high school kids for grade school children. However, this program is not merely an extracurricular activity—it is much more. That's because the purpose of the program is to teach very young children of grade school age the dangers of smoking.

The group of high school students, which now numbers over twenty students ranging in age from 14 to 18, travels to grade schools throughout the area putting on a variety of programs for a very attentive audience of children. The message of avoiding smoking is delivered to the younger children through puppet characters they enjoy and is positively reinforced through the older kids, who they look up to and who serve as powerful role models.

As priceless as is the lesson being taught to the youngsters, though, perhaps the most extraordinary thing about this program is the impact it has had on the high school students—both those participating in the program as well as their peers. Participation in the program is selective and competitive. The students must maintain good grades and promise not to drink, smoke, or be involved with any drugs. Since the program started, the students associated with it have become so popular by setting an example of a healthy, athletic, positive lifestyle, that other students have actually quit smoking to be able to join. Parents praise the program and call to find out how their children can participate. Their brightly colored, easily recognized T-shirts are proudly-worn status symbols. They work well with their teachers and are well-known within their community. Some students who have graduated even come back to spend time helping out with the program.

At a time when young people are so often noticed only when they do something wrong, I am very proud to be able to share with you the story of these terrific teenagers and the wonderful gift they are giving to their classmates, their community, and to themselves. They are demonstrating what cool really is—being a leader, a good student, and living a healthy lifestyle.

TRIBUTE TO ADA HESS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, today I rise to say goodbye to a dear friend, Ada Hess of El Centro, California. Ada passed away this past summer and I would like to take a moment to recognize the friendship given to me by such a good and beautiful person.

Ada was born in Buffalo Gap, Texas and after marrying John Hess in 1968, she moved to El Centro where she worked as the secretary/treasurer for their various geological businesses. With a lot of hard work and dedication, their businesses grew abroad and Ada and John soon became world travelers. Following John's death in 1987, Ada continued running these businesses as the sole proprietor for nine more years before selling them in 1996.

When I was a young lawyer starting out during the 1970's, I remember how John would always be willing to offer his engineering expertise to assist with my cases. My family and I always knew we could stay with Ada and John at their home in El Centro where we would often go on camping trips to the Colorado River and pan for gold. While my boys and I were trying to strike it rich, Ada would be making sure that everyone had their shovels, pails and a good lunch. After my election to Congress, I always treasured the times when John and Ada would visit me in Washington, D.C., somehow we would always end up exploring Northern Virginia.

John and Ada Hess were great advocates of conservative principles and the Republican party. At one function, I remember how proud John was to show me a bull-moose handkerchief that had been given to his grandfather by Teddy Roosevelt. At other times, Ada would often thank me for helping her with the opportunity to attend a presidential inaugural ball. When I think back upon our fun times together, I realize that I am the thankful one, for having John and Ada as friends.

COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL COMMUNITY PHARMACISTS ASSOCIATION

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERRY. Mr. Speaker, I rise today to recognize the National Community Pharmacists Association (NCPA) on its 100th anniversary this month and to commend the organization for the work they do on behalf of independent pharmacies across the country. The NCPA represents the pharmacist owners, managers, and employees of nearly 30,000 independent community pharmacies. Independent pharmacists—more than 75,000 nationwide—dispense the majority of the nation's retail prescription drugs.

Independent pharmacists have a tremendous responsibility that is of increasing importance. Patients continue to rely more and more on their community pharmacist for good advice on which medication will help them. With many patients visiting the pharmacy more often than their doctor, community pharmacists continue to use their knowledge when telling consumers the pros and cons to these products. Ninety-eight percent of our community pharmacists make recommendations on over-the-counter drugs and general health care issues. Their expertise is imperative to the health of millions of people across this country and I commend them for a job well done.

Community pharmacists are truly working for the well-being of patients across the country and I am proud to work with them. The National Community Pharmacists continue to play a role in the lives of millions of Americans and I congratulate them on their 100th anniversary.

NEW REPORT EXPOSES GOVERNMENT'S SYSTEMATIC HUMAN-RIGHTS VIOLATIONS IN PUNJAB

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, on October 1, Ram Narayan Kumar, the producer of the excellent video ''Disappearances in Punjab'', and Cynthia Mahmood, a professor at the University of Maine who has studied issues in Punjab, issued a detailed reported entitled ''Disappearances in Punjab and the Impunity of the Indian State.'' It exposes the brutal tyranny that has been imposed on the Sikhs of Punjab, Khalistan by ''the world's largest democracy.''

The report exposes India's ''war without quarter'' against the Sikh Nation that has resulted in the extrajudicial murders of over 250,000 Sikhs since 1984. The authors describe this ''war without quarter'' as a ''dirty water.'' The authors note that ''the law in Punjab accommodated to, buttressed, and furthered the pattern of atrocities against Sikh citizens that had evolved against Sikh citizens. Minimal human rights were being abrogated in 'the world's largest democracy.' ''

These abuses were carried out through mechanisms like the so-called ''Terrorist and Disruptive Activities Act'' (TADA), which permitted virtually unlimited detention of anyone without charge or trial. Even though this repressive law expired in March 1995, thousands of people continue to be held under it.

The report contains extensive discussion of the case of Jaswant Singh Khalra, who was kidnapped and murdered by the police after he exposed the Indian government's brutal masscremation policy in Punjab. After his report, the Tarn Taran police chief, Ajit Sandhu, told Mr. Khalra, ''We can make one more body disappear.'' It appears that this promise has been kept. Now the police have filed false charges against Jaspal Singh Dhillon, who assisted and continued Mr. Khalra's work. The Indian Supreme Court described this policy as ''worse than a genocide.'' It said that there have been ''flagrant violation of human rights on a mass scale.''

The report also demonstrates the weakness of India's National Human Rights Commission, which cannot investigate abuses by the security forces and cannot investigate cases over a year old. The Commission is essentially impotent.

As a result of these abuses, 18 human-rights organizations and 13 individuals who have been active in human-rights work formed the Coordination Committee on Disappearances in Panjab, which then appointed the Peoples Commission on Human Rights Violations in Punjab. This commission has issued 90 citations and taken over 3,000 more cases. The government has taken action to close down the commission and tried to prevent its first meeting from taking place. The report shows that the government has worked to silence human-rights groups through intimidation and violence.

Mr. Speaker, these events occurred in only one of India's 25 states. There are currently 17 freedom movements within India's borders. The United States is a bastion of freedom in the world. We should not be supporting such a repressive country. The sanctions we placed on India this spring must be maintained and we should also cut off its U.S. aid. It is now apparent that only when the people of Punjab, Khalistan and the other captive nations of the Indian subcontinent are allowed to claim their sovereignty will their people live in freedom, peace, prosperity, and stability. The United States Congress can help make that happen by declaring our support for free and fair plebiscites on independence in Punjab, Khalistan and in Kashmir. By these means we can help end these abuses and bring freedom to all the people of South Asia.

I thank Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, for bringing this report to my attention and his continued effort to free his nation from the repression of the Indian government.

HONORING CLAUDE GANAYE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to World War II hero Claude Ganaye, who in September 1944, was a 16-year-old French national whose actions saved the lives of United States combat troops of the 29th Infantry Division. Veterans of that division gratefully recall his bravery.

Even though Claude Ganaye and his family had been driven from their home in Brest, France, by Nazi troops, young Claude had the presence of mind to note the location of German mines, snipers and gun emplacements. Claude Ganaye found a French-speaking GI, Philip Roy of Company L, 116th Infantry to whom he provided his detailed intelligence. Acting on this information, the 29th Infantry Division was able to avoid casualties while taking enemy positions and capturing 40 prisoners.

Twenty years ago, Mr. Ganaye moved to California where he became a naturalized citizen of the country whose troops he guided from harm's way. Mr. Ganaye resides with his family in the 6th Congressional District whose citizens thank him for the courage and composure he, as a teenager, demonstrated in the mind-numbing conditions that marked the heroic allied invasion of France. It is fitting too, as we honor our veterans, to join them in acknowledging Claude Ganaye's contribution to his adopted nation. Mr. Speaker, I ask my colleagues to join me in extending our heartfelt gratitude to Mr. Claude Ganaye.

PURPLE HEART AND POW MEDALS FOR JOSEPH LAJZER

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. RODRIGUEZ. Mr. Speaker, on September 18, 1998, National Prisoner of War/Missing In Action Recognition Day, our nation finally honored one of the few remaining heroes and survivors of the Bataan Death March. During the graduation of new air men and women from basic training at Lackland Air Force Base, Retired Army Air Corps World War II veteran Tech. Sgt. Joseph Lajzer was awarded the Purple Heart and POW medals for injuries sustained more than 56 years ago in the jungles of the Philippines.

Joseph Lajzer volunteered for the Army in 1941 at the age of twenty. He was trained as a tanker and his unit, B Company of the 192d Tank Battalion, was sent to Clark Field in the Philippines. Not long after the attack on Pearl Harbor, the Japanese attacked and landed in the Philippines. After many days of intense fighting and desperately short of medical supplies, food, and ammunition, Mr. Lajzer's unit was captured on April 8, 1942. The following day the tragic Battan Death March began.

The horrors of the six day march defy any description. Nearly 650 American soldiers along with thousands of Filipino soldiers died during the march. For the next three and one half years, Lajzer endured unspeakable pestilence, starvation, and brutality while in captivity. Joseph Lajzer was finally liberated on September 6, 1945, but had to endure additional months in military hospitals recovering from injuries inflicted by his Japanese captors.

Tech. Sgt. Lajzer's services to our nation didn't end after his release. He went on to serve for a total of 25 years, retiring from the United States Air Force in 1966. In spite of his extraordinary service in uniform, Lajzer was never formally recognized. He waited patiently for more than twenty years while administrative and other delays prevented the award of the Purple Heart and the POW medals to this deserving American. Finally, on September 18, 1998, our nation recognized and honored Tech. Sgt. Lajzer.

A SOLDIER BY AN UNKNOWN AUTHOR AT BATAAN/CORREGIDOR

A soldier is a nobody, we hear lots of people say. He is the outcast of the world and always in the way.
We admit there are bad ones from the Army to the Marines, but the majority you will find, the most worthy ever seen.
Most people condemn the soldier when he stops to take a drink or two, but does a soldier condemn you, when you stop to take a few.
Now don't scorn the soldier but clasp him by the hand, for the uniform he wears means protection to our land.
The government picks its soldier from the million far and wide, so please place him as your equal good buddies side by side.
When a soldier goes to battle you cheer him on the way, you say he is a hero when in the ground he lay.
But the hardest battle of the soldier is in the time of peace, when all mock and scorn him and treat him like a beast.
With these few lines we close sir, we hope we don't offend but when you meet a soldier just treat him like a friend.

TRIBUTE TO BONNIE KIBBEE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, today I rise to recognize the outstanding life of a friend from my hometown, Bonnie Kibbee of Alpine, California. Bonnie passed away last month and I would like to take a moment to commend the

dedication this exceptional person had for her community.

Born in New Hampshire, Bonnie came to San Diego with her family when she was a little girl. She was a small business owner, a real estate agent, a backcountry activist and an avid gardener whose own home garden became a popular fixture in the Alpine community. The Kibbee's, whose garden included various assortments of irises and day lilies, would set aside a day each spring to allow the public to come and visit.

Upset upon learning that the Internal Revenue Service was intending to confiscate the savings account of a child to pay off a parent's debt, Bonnie quickly established herself as a government watchdog and community patriot by protecting and standing up for the rights of private property owners. Through her positions on the Alpine Community Planning Group, Paul Gann's Citizen's Committee, the Christmas Calling Committee and as President of California Taxpayers Network, Inc., Bonnie dedicated herself towards community improvement, reducing crime and promoting law enforcement. Among her initiatives included raising funds for the Alpine Community Center, finding a new home for the Alpine Chamber of Commerce, assisting congressional efforts to oppose overzealous federal acquisition of private property and working to ensure that human beings were provided the same protections afforded to birds, fish and insects.

In a time when apathy is often chosen over public involvement, Bonnie Kibbee exhibited the true character of grassroots activism. As a Member of Congress, it is encouraging to see a private citizen who takes notice of what is taking place around them and works to change their community for the better. Thank you Bonnie for all your hard work. You were a natural leader, a great American and will be truly missed.

OREGON PUBLIC LANDS TRANSFER AND PROTECTION ACT OF 1998

SPEECH OF

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 12, 1998

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today in strong support of H.R. 4326 because I think that this is a noncontroversial package that will help address ongoing resources needs in Oregon ranging from wastewater treatment to land transfers.

I am particularly pleased that this package includes a measure to authorize the Willow Lake Natural Treatment System project which will reduce wintertime sewer system overflows to the Willamette River in Salem and local creeks.

This initiative will also provide a source of irrigation water for the farming community and improve the river habitat for fish.

Mr. Speaker, this is just one of the win-win initiatives in this important package.

This package also includes a common sense land transfer arrangement between O & C counties and the BLM, a land exchange between the BLM and the U.S. Fish and Wildlife Service at Hart Mountain in eastern Oregon, in addition to other measures that have widespread support.

I urge my colleagues to support this legislation.

ARKANSAS AMVET OF THE YEAR, WINSTON MCGINNIS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BERRY. Mr. Speaker, I rise today to honor a man who has dedicated his time to working for Arkansas' veterans. For this reason, the AMVETS has awarded this great veteran, Winston ''Mac'' McGinnis who lives in my District in Melbourne Arkansas, the prestigious AMVET of the Year Award.

The AMVET of the Year Award was given to Mac for the many hours of volunteer work for all veterans and their families since his retirement from the U.S. Air Force in 1966. After an injury in Guam while serving in the Air Force, that resulted in a spinal cord injury, Mac was retired with 20 years of service. Since that time he has worked with other veterans and has volunteered in four different Veterans Hospitals. He has received a 100,000 mile award from the VA for the miles he has driven doing volunteer work and transporting veterans to and from VA hospitals.

Mac is the Executive Director of the AMVETS Department of Arkansas, Commander of Post #1 in Melbourne VAVS Representative at the Little Rock Medical Centers and National Executive Committeeman for Arkansas AMVETS. The Silver Helmet Award has over the past 40 years acquired a well-deserved reputation as the most prestigious of all the awards given by veterans organizations. I congratulate Mac for his award and his years of service working with the veterans in Arkansas. Mac, thanks for a job well done. I wish you well.

HONORING KATIE DAVIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Katie Davis for her dedicated service to the Brooklyn community and to congratulate her as a recent recipient of an Institute for Community Living award.

Katie Davis, a graduate of Hunter College and Columbia University's Public Health Administration School, and a successful administrator at Kingsborough Psychiatric Center has made and continues to make a difference in the lives of young African Americans and Hispanics. Katie's involvement with youngsters in various aspects of their lives through a continuous process of mentoring, engagement in positive activities and community programs aimed at giving them hope for their future, has helped to mold their actions and to lead more productive lives. Many of these young adults have gone on to successfully occupy various positions, further their studies and give back to their communities by helping others.

Katie has made a tangible difference in the lives of countless young adults as well as in her own. She has worked incessantly on behalf of community residents who have special needs like her own daughter, Jacqueline, and continue to meet daily challenges for independence and dignity throughout their lives. It is in Jacqueline's memory that the Institute for Community Living's Emerson/Davis Family Development Center was dedicated. Katie has also been an advocate for children's education and for the improvement of housing for seniors and young low-income families.

Katie is an active member of the Board of Directors of the Vanguard Urban Improvement Association, which sponsors, the development and renovation of affordable housing for low-income families in Central Brooklyn. She is also chairperson of Medgar Evers College Community Council, where she works to improve the college's ability to connect with the community, and to enhance the academic status of this educational institution. One of Katie's greatest accomplishments, however, was her election by the grassroots community as a delegate to the 1984 Democratic Convention. Her election by the community was viewed as an acknowledgement of her tireless efforts in providing voter education workshops, and organizing and directing voter registration and participation campaigns. As an active member of the Antioch Baptist Church she has served on its Board of Trustees. Katie currently resides in Brooklyn with her husband, Hervin, and her daughter, Charlene.

Mr. Speaker, please join me in honoring Katie Davis for her invaluable contributions to the Institute for Community Living and the Brooklyn community.

TRIBUTE TO JOE KENNEDY

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KINGSTON. Mr. Speaker, Evans County, Georgia certainly has its share of outstanding citizens.

Perhaps because in Evans County people still take very seriously things like God, patriotism, and civic responsibilities.

And so, among so many outstanding citizens, it gives me particular pleasure to pay tribute today to one of Evans County's own who never failed to live up to those standards—Joe Kennedy, loving father, devoted husband, political leader, and outstanding Georgian.

Born and raised in Claxton, Joe spent his whole life dedicated to serving his fellow citizens in public life.

He was the kind of elected official people always felt was working for them, for Joe was a guy who, over a period of 40 years in public life, always seemed to be truly happy to help people in any way he could.

He seemed happy to help because he was.

He enjoyed serving people, and he was so very proud of his participation in a profession that he believed to be a noble. one.

If Joe were alive today, he would surely be astonished that some people are even asking the question of whether character matters.

What an absurd question, and he could not conceive of why anyone might even suggest that a man's integrity was not the most important consideration of all.

A veteran of the U.S. Army, Joe served with distinction in the Korean war and received numerous decorations for his service, including

the Bronze Star, the Korean Service Medal, and the United Nations Medal with two battle stars in the Korean war.

After being honorably discharged in June 1953, with the rank of captain, he returned to his native Georgia and began to build a life for himself and his family.

In 1996, Joe was elected to the Georgia Legislature, serving District 4 in southeast Georgia.

He went on to represent that district for a total of 24 years, 24 years in a position where he set the standard for being responsive to his constituents.

Although fiercely proud of being a Democrat, and proud of his conservative credentials, Joe was not a partisan.

His loyalty was to a better Georgia for all citizens.

This came before party or politics.

He loved nothing more than finding a way to achieve his goals while obscuring the source of the credit.

But we must give credit where credit is due, and the state of Georgia is marked in many ways by his legacy of accomplishments.

The highway running through Claxton to Interstate 16, a section of which now bears his name, was expanded to four lanes as a result of his efforts.

Joe was behind the construction of the Claxton Regional Youth Development Center, an activity employing 30 people.

The determined perseverance of Joe Kennedy was also behind the Southeast Detention/Probation Center, the Ogeechee Technical Institute, and the Claxton Seniors Citizens Park—institutions which provide a service to Georgians and which employ hundreds of our citizens.

And Georgia Southern University obtained its university status in great part as a result of Joe's persistent efforts to improve the higher education opportunities that would be available to southeastern Georgia students.

The list of his accomplishments is long, and they are, indeed, the visible reminders of his legacy.

But to the people who knew him, and who loved him, those are not the things that will bring a wistful smile to our faces when we recall his memory.

As a young man, Joe soon earned a reputation for being a man of his word.

As he rose in power and influence, that never changed.

To Joe, honesty was simply the way to do business, and he would never sacrifice the trust he had earned for some short-term advantage.

Joe did not win every election he entered, but he did win the hearts of the people who knew him best, and his performance during his race for lieutenant governor validated the high opinion we had of him.

Slick out-of-state consultants with briefcases full of dirty tricks never worked for Joe Kennedy.

He was straightforward to supporters and opponents.

After the polls closed, Joe accepted the decision of the voters with the same quiet dignity that has been characteristic of his rich, extraordinary life.

He still had his integrity and he still had a passion to serve his fellow Georgians.

Joe went on to occupy other high positions in the Georgia State government, and to his last days he did what he loved most: talking to people about public policy issues and finding out how best to solve the political problems that confront us all.

He brought that enthusiasm to his last position in government as a member of the Georgia Board of Regents.

How fitting it was to learn that on the day that God had decided was his time, Joe was speaking to the downtown Rotary Club of Statesboro.

He was doing what he loved right to the end.

He will be dearly, dearly missed.

God bless you, Joe Kennedy. To his beautiful wife Lalah, children Debra, Cliff, and Adam, to all of his in-laws, grandchildren, and relatives, thank you for sharing him with us.

TRIBUTE TO WESLEY E. BISGAARD

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUNTER. Mr. Speaker, on August 6th of this year the State of California and specifically the communities of Imperial County within my district suffered a great loss with the death of Mr. Wesley E. Bisgaard. Throughout his life, Wes was dedicated to his family, church and community. I rise today to recognize his remarkable dedication and contributions to all of us.

I met Wes in 1979 during my first campaign for Congress when he was serving as the Republican Party chair for Imperial County. I still remember the look in his eye when he first shook my hand, it was as if to say ''this is what I have to work with?'' From that day forward, he was always ready to lend me a hand and offer advice that he gleaned from years of working through the various systems of government, whether it was the State of California or the U.S. Congress. One thing about Wes, he never left you wondering what his opinion was.

Wes led a remarkable life that reads like a John Steinbeck novel. After the dust bowl the Bisgaard family moved from their farm in North Dakota to California where they eventually began a new life in Holtville, California, where they remain today. During World War II, while Wes worked for Douglas Aircraft, he met and married Mildred ''Millie'' Eppleman. In 1952, Wes and Millie, along with their two children, Karen and Christopher, moved to Imperial Valley to join his brother and once again take up his first love: farming. The Bisgaard Brothers farmed 1,000 acres of alfalfa, lettuce, cotton, sugar beets, barley, cabbage, and later wheat for seed.

Agriculture is the mainstay of not only Imperial Valley, but California as well and Wes played a very active role through his memberships on many local and state farming advisory boards and commissions. In fact, when he finally retired at the age of 79 he was the Manager of the Imperial County Farm Bureau, completing a 45 year career in the industry.

Wes and his wife Millie lived their lives with a strong work ethic, unimpeachable ethical standards, a central place for God in their lives, an abiding sense of charity towards others and a compelling degree of commitment to the wider community. Those of us lucky enough to know Wes will forever be grateful for that opportunity. Imperial County and the farmers there are better off today because of his dedication and commitment to his community: for that, all of us are grateful.

S. 505 VIOLATES U.S. INTERNATIONAL TREATY OBLIGATIONS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TANNER. Mr. Speaker, recently, the House passed S. 505, the Sonny Bono Copyright Term Extension Act. Provisions were included in this legislation relating to fairness in music licensing. Some have expressed concerns over these provisions.

The Congress has been advised by the Secretary of Commerce that the fairness in music licensing reform legislation violates U.S. international treaty obligations. The United States Trade Representative, the Register of Copyrights, and the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks have all joined with the Secretary of Commerce in voicing concerns over these provisions. They believe that the exemptions included in Section 202 of Title II would ''violate our obligations under the Berne Convention for the Protection of Literary and Artistic Works.'' As a consequence, it could result in the WTO finding that United States has violated its multilateral treaty obligations. Adequate attention was not given to these concerns.

WORLD POPULATION AWARENESS WEEK 1998

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WYNN. Mr. Speaker, I rise today to call World Population Awareness Week 1998 to the attention of my colleagues. October 24–31 marks the annual celebration of World Population Awareness Week. More than 300 family planning, environmental, educational, community and service organizations in 61 countries are co-sponsoring the week in an effort to raise awareness of the need for universal voluntary family planning.

I call the Governor of Maryland's, the Honorable Paris Glendening, proclamation to the attention of my colleagues.

WORLD POPULATION AWARENESS WEEK PROCLAMATION—1998

Whereas world population stands today at more than 5.9 billion and increase by more than 80 million per year, with virtually all of this growth in the least developed countries;

Whereas the consequences of rapid population growth are not limited to the developing world but extend to all nations and to all people, including every citizen of the State of Maryland concerned for human dignity, freedom and democracy, as well as for the impact on the global economy;

Whereas 1.3 billion people—more than the combined population of Europe and North Africa—live in absolute poverty on the equivalent of one U.S. dollar or less a day;

Whereas 1.5 billion people—nearly one-quarter of the world population—lack an adequate supply of clean drinking water and sanitation;

Whereas more than 840 million people—one-fifth of the entire population of the developing world—are hungry or malnourished;

Whereas demographic studies and surveys indicate that at least 120 million married women in the developing world—and a large but undefined number of unmarried women—want more control over their fertility but lack access to family planning;

Whereas this unmet demand for family planning is projected to result in 1.2 billion unintended births;

Whereas the 1994 International Conference on Population and Development determined that political commitment and appropriate programs aimed at providing universal access to voluntary family planning information, education and services can ensure world population stabilization at 8 billion or less rather than 12 billion or more.

Now, therefore, I Paris Glendening, Governor of the State of Maryland, do hereby proclaim the week of October 25–31, 1998 as World Population Awareness Week, and urge citizens of the State to take cognizance of this event and to participate appropriately in this observance.

HONORING STEVEN H. KRONETHAL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Steven H. Kronethal for his dedicated service to the Brooklyn community and to congratulate him as a recipient of an Institute for Community Living award.

Steven H. Kronethal joined Integrated Planning Associates, Inc. as Vice President in 1991. Since 1995, Integrated Planning has been designing and implementing a variety of Employee Benefit programs for both the profit and non-profit communities. By working with the non-profit community, Integrated Planning has been able to help their clients provide comprehensive and cost effective benefits for their employees. Specializing in both health insurance and pension plans, Integrated Planning's goal is to help employers attract and keep the best employees available.

Steven is a graduate of Boston University's School of Management with a degree in finance. He also holds many industry awards and recognition. Steven and his wife, Andrea, just welcomed their first-born child, Brandon, in September.

Mr. Speaker, please join me in honoring Steven Kronethal for his invaluable contributions to the Institute for Community Living and the Brooklyn community.

IMPEACHMENT INQUIRY

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. HOOLEY of Oregon. Mr. Speaker, based on the evidence, I believe that we should proceed with an impeachment inquiry that has a clear time line, not an open ended inquiry that could drag on and on for the next two years.

The Republican proposal does not set any deadlines at all. If it were to pass, we could be debating this issue into the next millennium. One way or another I feel that we have to move forward with the impeachment process in a timely manner. In order to do that, I believe that it is crucial that we insist this inquiry be deliberate and focused.

The inquiry should also be limited to what the Starr report focuses on. Unfortunately, the Republican proposal is not limited in any fashion. According to the structure of the inquiry as outlined by the Republicans in the Judiciary Committee, it may include a re-investigation of Travelgate, Filegate, and campaign finance even though we have already spent four years and $40 million investigating these matters.

I voted for a motion that was forwarded by RICK BOUCHER to modify the Republican proposal. Mr. BOUCHER's motion would allow the House to proceed with an impeachment inquiry that focuses on the material that Mr. Starr referred to the Congress and his proposal would require Congress to complete this inquiry by the end of the year unless there were compelling reasons to continue it. This is the sort of common-sense, fair-minded inquiry that I believe will bring this issue to a timely and appropriate conclusion.

The sooner we resolve this issue the sooner we can begin to deal with issues that make a difference in America's everyday lives. I hope that soon we will move toward bringing the Lewinsky matter to an appropriate close so that we can begin to re-focus our energies on issues like saving Social Security, cracking down on gang violence, and providing tax relief for middle class families.

HONORING CHARLES RINKEVICH, DIRECTOR OF FLETC, GLYNCO, GA, RETIRED ON MARCH 14, 1998 AFTER 34 YEARS OF GOVERNMENT SERVICE

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KINGSTON. Mr. Speaker, today Congress will pass a number of appropriations bills.

While there are many important agencies funded by the legislation involved in these bills, one that all Members of Congress and people in south Georgia can take particular pride in is the Federal Law Enforcement Training Center (FLETC).

This, of course, is that important agency which trains our heroic Capitol police force.

I have the honor of representing FLETC, and had the pleasure of learning much about it through former director Charlie R. Rinkevich.

Today it is a special treat to recognize Charlie, who retired last March after 34 years of public service.

Thirty-four years of the kind of distinguished service that will be missed by the people he served, the people he worked with, and the people whose lives he touched in so many ways.

Although the expression ''dedicated public servant'' is used all the time, there is simply no other way to describe Charlie Rinkevich.

For 15 of those 34 years in government service, Charlie served as the director of FLETC, located in Glynn County, Georgia.

I think all my colleagues would agree, even those who, like me, are proud champions of limited government—I think everyone would agree that Charlie's job is a critically important one, and one that benefits the public to a degree that few realize.

In fact, law enforcement is one of the few things that all citizens expect and demand of their government.

In fact, it is the ultimate bipartisan public service—all citizens have the right to equality before the law, equal justice, and the rights to due process accorded by our Constitution.

Law enforcement is the bedrock of a civilized society; it is what distinguishes society which are governed by the rule of law and those which are governed by the whims and caprices of tyrannical leaders or petty bureaucrats.

Some societies—in fact, most societies do not trust their law enforcement agencies, for corruption is a way of life.

Americans expect more.

Americans expect their police force, their court system, and the Federal law enforcement officers to be honest and to serve the public whose rights they are sworn to uphold.

And for the most part, they can count on the people who make our system of justice work.

But to make our system of justice work, you need to have people like Charlie Rinkevich make it work.

Justice does not come from a piece of paper.

If it did, the Soviet Union would have been a paragon of justice.

Justice does not come from a sacred document, even one as wise and far-sighted as our Constitution.

If it did, Communist China would be a worker's paradise where everyone's rights and freedoms were respected.

No, justice comes from honest people who take part in a system they truly believe in, a system that, while never perfect, is the best one can hope for in an imperfect world.

Justice comes from honest people who teach honesty to others, who lead by example, and who care deeply about a country they are so, so proud to live in.

Justice comes from the work of honest people like Charlie Rinkevich.

The list of Charlie's Rinkevich's accomplishments is long and impressive.

But no professional achievement—no award, and no honor—can ever replace or compare with honesty and integrity.

Without honesty and integrity, professional achievements are meaningless and ultimately, unfulfilling.

Without honesty and integrity, no one's career, even one that lands you on the very top, is worth much.

Without honesty and integrity, you will never be a role model to your kids, your family, and your community.

Charlie Rinkevich IS a role model, not only for his life of professional achievements and accolades, but for his character as well.

Character is developed by toil, sacrifice, and struggle.

Hard-won, it is easily tarnished or destroyed. Charlie teaches the value of character in the law enforcement officials he trains.

It is the kind of thing that is often taught by people who take pride in their work, especially

teachers, coaches, and members of the clergy.

From his start as a police patrolman in Michigan 34 years ago to his tour as director of FLETC, Charlie took pride in his work urged others to view public service with this work ethic.

The serious business of law enforcement thrives when people have this kind of attitude toward their job.

It gradually sinks into incompetence and disinterested malaise when they don't.

A positive attitude and a strong work ethic go hand in hand, and law enforcement officials everywhere immediately recognize what will happen to effectiveness when attitudes slip and the work ethic slides.

That's why Treasury Secretary George Schultz appointed Charlie to his position as head of FLETC in 1983.

FLETC is the largest law enforcement training organization in the United States.

Formed in 1970, FLETC's mission is to provide the highest quality of training at the lowest possible cost.

Seventy Federal law enforcement agencies in all levels of government now participate in consolidated training at FLETC, training which includes the international arena.

Last year, over 23,000 students graduated from basic, specialized, and management level training programs.

Quite simply, the quality of the training conducted at FLETC has a direct impact on the American people's attitude toward government.

We live in a time during which the public trust has been eroded.

Without a system of justice that is widely perceived as fair, honest, and free from corruption in the vast majority of cases, there can be no trust in government, and cynicism about our democratic system will undermine our faith in America.

On behalf of the citizens of the 1st District of Georgia, I would like to thank you, Charles Rinkevich, for undertaking the burden that positions of public trust require.

I commend you for the long years of loyal government service you have worked with such dedication and enthusiasm.

I am very proud to have the opportunity to recognize your achievements this day.

Thank you, and may others be inspired to follow your path in public service.

TRIBUTE TO DR. DANIEL VASELLA, RECIPIENT OF THE 1998 AMERICAN JEWISH CONGRESS HUMANITARIAN AWARD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. LANTOS. Mr. Speaker, I would like to ask my colleagues to join me in recognizing the outstanding accomplishments of my friend Dr. Daniel Vasella, the recipient of the 1998 American Jewish Congress Humanitarian Award. Dr. Vasella is the President and Chief Executive Officer of Novartis AG, which is one of the most prestigious pharmaceutical companies in the world. He has a record of service that extends well beyond the business sphere, and his leadership in the areas of medical research and the pursuance of peace is a reflection of the decency and moral fiber of a truly remarkable human being.

As the recipient of the AJC's Humanitarian Award, Dr. Vasella joins some of the most outstanding men and women of the latter half of the twentieth century. The American Jewish Congress (AJC), which for the past eighty years has led the Jewish community in fighting for human rights and against all forms of discrimination, has bestowed its Humanitarian Award upon statesman and pioneers who have fought tirelessly to improve the quality of life of all the world's citizens. From Harry S. Truman to Coretta Scott King, from David Ben-Gurion to Robert F. Kennedy, the roster of recipients represents a Who's Who of the champions of humankind.

Mr. Speaker, Dr. Vasella's achievements more than merit this distinguished honor. Under his inspired leadership, Novartis has emerged at the forefront of the pharmaceutical industry in the area of ''genomics,'' which involves research into ''disease genes'' as targets for new drugs. Related ventures have contributed to medical advances in a wide variety of vital areas, ranging from the treatment of Alzheimer's disease to Parkinson's disease to diabetes to cancer. In honor of Dr. Vasella's notable dedication to curing such afflictions, the AJC will use the proceeds of the 1998 Humanitarian Award Dinner (to be held on Thursday, October 22, at The Waldorf-Astoria in New York City) to further its significant work into the high genetic susceptibility of Ashkenazi Jewish women to breast and ovarian cancer, as well as for other medical projects involving the health and welfare of women.

In addition to his medical successes and his numerous philanthropic activities, Dr. Vasella has contributed enormously to efforts to further the cause of peace in the Middle East. He is an active member of the International Board of Governors of the Peres Center of Peace in Israel, an organization founded last year by former Prime Minister and Nobel Laureate Shimon Peres to further economic and other areas of cooperation between Israelis and Palestinians. Furthermore, Dr. Vasella and Novartis have provided guidance and substantial financial backing to Seeds of Peace, a foundation that creates conflict resolution and peacemaking programs for youth in the Middle East and other tumultuous regions around the world.

Mr. Speaker, I would like to ask my colleagues to join me in commending the AJC and its outstanding President, Jack Rosen, on their exceptional choice of Dr. Daniel Vasella as the recipient of the AJC's 1998 Humanitarian Award. I can think of no individual more deserving of this eminent honor.

TRIBUTE TO DR. MORRIS JOHNSON, EDUCATOR TO THE WORLD

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. MEEK of Florida. Mr. Speaker, I rise to honor Dr. Morris Johnson, a professor of history at Miami-Dade Community College who has used his extensive knowledge of South Africa and the Caribbean to improve educational opportunities and promote international understanding in this country and abroad.

Over the past several years, Dr. Johnson has organized six trips to South Africa on which his students, other educators and members of our community have had the opportunity to learn first-hand about this important nation and to exchange ideas and information with its people.

But Dr. Johnson has not been content with learning about South Africa. He wants to forge closer ties between our nations. He also wants to make a positive impact on the lives of South Africa's young people, and he is not content to wait for the governments of our two nations to do the job.

For the past 4 years, Dr. Johnson has collected and shipped hundreds of pounds of school supplies to poor schools in South Africa, as well as Haiti, Jamaica, Trinidad, and the Dominican Republic. Each year, Miami-Dade school children donate notebooks, construction paper, textbooks, crayons, scissors, glue, chalk, and pencils. Dr. Johnson distributes these items on his visits to South Africa and ships them—often at his own expense—to school children in other countries as well.

Many children in these countries have never seen these kinds of school supplies, which we take for granted in this country. As Dr. Johnson said in a recent interview, ''Ten years from now those kids will say the supplies made the difference. That's the reward.''

Mr. Speaker, I think the real difference is Dr. Morris Johnson, a man of humanitarian vision, energy, and commitment. I know that the entire House joins me in honoring Dr. Johnson for the efforts he has made to make this world a nicer place in which to live.

HONORING MELVIN H. MARDEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Melvin H. Marden for his dedicated service to the Brooklyn community and to congratulate him as a recipient of an Institute for Community Living award.

Melvin H. Marden, a graduate of Adelphi University and New York School of Interior Design, started his first business in the retail home improvement and design industry. For thirty years he gained a complete background in all aspects of interior construction and design. During the time he operated a retail business, Melvin also worked with non-profit agencies by furnishing the interior of many types of facilities. His primary focus was to establish a residential setting by using contract furniture, fabrics, window treatments, framed artworks, floorings, and many colors and textures suited to the individual needs of each residence.

Melvin now works solely in the contract and institutional field. His emphasis is in developing and constructing furniture, furnishings and environments to suit the needs of the various types of populations who are supported and housed by non-profit agencies.

Mr. Speaker, please join me in honoring Melvin H. Marden for his invaluable contributions to the Institute for Community Living and the Brooklyn community.

IN HONOR OF THE 188TH ANNIVERSARY OF THE PARK AVENUE CHRISTIAN CHURCH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to the Park Avenue Christian Church as it celebrates its 188th anniversary. The Church held a Homecoming Celebration on October 17 and 18.

The Christian church, which traces its roots back to the Scottish reformation, first emerged on the American Frontier in the early 1800's. On October 10, 1810, nine members of the Ebenezer Baptist Church of New York City formed themselves as ''The Disciples of Christ.'' In 1945, the congregation moved to its present site at 1010 Park Avenue and renamed itself the Park Avenue Christian Church.

As the oldest congregation within the Christian Church, the Park Avenue Christian Church delivers a progressive, positive message as an international, interracial, and inclusive community.

Originally build as the old South Dutch Reformed Church in 1911, the sanctuary was inspired by La Sainte Chapelle in Paris. The Church is an impressive structure on Park Avenue with buttress-supports and Tiffany stained glass windows. In 1963, the Church built a new education building on the site of the original parish house; in 1982, a 56 rank organ was added to the Church.

In 1989, the Park Avenue Christian Church embarked on a massive renovation. This restoration not only ensured the preservation of the Church into its third century of existence, but also helped to revitalize the congregation's commitment to its mission to the world founded on freedom, diversity, and tradition.

The Park Avenue Christian Church plays an integral role in fostering a sense of community on the Upper East Side of Manhattan. The congregation is deeply rooted in social responsibility, which greatly benefits the Park Avenue community.

Mr. Speaker, I am honored to bring to your attention the Park Avenue Christian Church, as it celebrates its 188th anniversary. I would also like to pay tribute to Senior Minister Reverend John Wade Payne and Associate minister Reverend Allen V. Harris for their dedication to the Park Avenue Christian Church and the surrounding community.

STATEMENT ON MAYOR BARRY'S RETIREMENT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. NORTON. Mr. Speaker, as many in the Congress know, Mayor Marion Barry has decided to leave office at the end of this year after 16 years of service as Mayor. I issued a statement when Mayor Barry announced his retirement in May. I ask for permission to include that statement in the CONGRESSIONAL RECORD.

After a lifetime of public service and devotion to this city, my friend Marion Barry is leaving office with the city on the rebound. Sometimes controversial, always congenial, Marion leaves with his infectious optimism about the city he loves intact. The man who invented politics in D.C. was also its most skillful and resilient practitioner. He always called me his ''warrior'' on the Hill. I always knew that my old civil rights buddy would no more settle for second class citizenship here than he did in the movement. Whatever our differences, Marion Barry was my friend before he was Mayor, and he will be my friend when he is no longer Mayor. I wish him well.

RECOGNIZING THE CITY OF LA HABRA HEIGHTS, CA, ON THE OCCASION OF ITS 20TH ANNIVERSARY

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. ROYCE. Mr. Speaker, around 1920, a developer named Edwin G. Hart had a vision for about 3,500 acres nestled in the hills of my district. Since the early 1800's, this area had been known as ''La Habra Rancho'' and was home to ranchers, farmers, and settlers. Edwin Hart set out to develop this land into a remarkable avocado growing belt, divided into large 5-acre parcels and profitable for all his neighbors.

He called it ''La Habra Heights.''

Gradually, La Habra Heights evolved from an avocado producing area to a tranquil residential community. Today the city of just over 7 square miles has maintained its unique rural character amidst urban Los Angeles County. The residents of this pastoral area, including a large horse riding population, have long enjoyed a peaceful environment in the hills and valleys of their community. Scenic riding trails are connected throughout the heights and are maintained by the Highland Riders. A community-based volunteer fire department has provided protection to its residents for 50 years.

The city of La Habra Heights incorporated on December 4, 1978, and the city has continued to prosper for 20 years. I would like to extend my congratulations to the over 6,800 residents of this community on the occasion of their 20th anniversary as a city on December 4, 1998.

COMMUNITIES PULL TOGETHER AFTER FLOOD DEVASTATION

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. RODRIGUEZ. Mr. Speaker, this past weekend we in central and south Texas experienced extraordinary rain storms which dropped record amounts of rain in only a matter of hours. Some areas received nearly two feet of water in roughly 24 hours. Our normally calm rivers bursted over their banks, turning into a racing wall of water. Even now, communities in my district find themselves under water. Roads, houses, farms and ranches have turned into lakes.

Devastation is everywhere. Homes have been torn from their foundations. While lending a helping hand to others, one rescue worker and her husband watched in horror as their house floated down what was once a street. Many communities have no drinking water, and thousands are only now beginning to return to their homes. For many, all their worldly possessions are gone. Lives lost, businesses flooded, livestock killed, and people's prime investment, their homes, destroyed—that is the legacy of the floods of 1998.

The counties I represent include some of the hardest hit areas: Comal, Guadalupe, Bexar and Wilson Counties have not seen this level of destruction in more than a generation or more. In some areas, the Guadalupe River, normally 150 feet wide, stretches three miles across. It may take days or weeks to add up the value of lost property, but we know today already that some have experienced the greatest loss. At least 17 persons have died as a result of these storms, and a number of children remain missing and are feared lost. For the record, I have attached a list of these fatalities. Mr. Speaker, our hearts and prayers go out to these families at this tragic time.

I spent yesterday visiting flood-damaged communities. While the destruction was truly heart-wrenching, I was impressed with the professionalism exhibited by city leaders, law enforcement and emergency service crews. I admired neighborly spirit of the many volunteers who came out to help. In response to this crisis, people from all walks of life came together to battle the water and save lives. The next few days will be critical as the rebuilding begins. I know that, despite the challenges, the people of Texas will pull together and overcome.

HONORING JUDITH MARDEN INSTITUTE FOR COMMUNITY LIVING AWARDEE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Judith Marden for service to the Brooklyn community, and congratulate her as a recipient of an Institute for Community Living award.

Judith Marden graduated from Adelphi University with a Bachelor of Science degree in Elementary Education. She received her Master of Science Degree in Elementary education from Hofstra University concentrating on courses in sociology and psychology.

After teaching for a number of years, she decided to join her husband Melvin in their contract and design business. At that time she attended the New York School of Interior Design.

For the last twenty-five years, she has taken her background in design, psychology and sociology and applied them to furnishing residences, group homes, and larger facilities. The emphasis has been on establishing a home-like environment to suit the different needs of the individuals living in them.

In her work, Judith has researched the living needs of the homeless, mentally ill, chemically addicted, developmentally disabled, individuals with AIDS, children in foster care, battered women, senior citizens, children and unwed mothers, while working with the agencies that care for and support these populations.

Mr. Speaker, I would like you and my colleagues from both sides of the aisle to join me in honoring Ms. Judith Marden for her invaluable service to the Institute for Community Living and the Brooklyn community.

REHABILITATION HOSPITALS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TANNER. Mr. Speaker, I want to commend the gentleman from Massachusetts, Mr. NEAL, for taking the lead on an issue that affects rehabilitation hospitals and units. It is very important that we work with Mr. NEAL on this issue to correct some problems that were created by the passage of the Balanced Budget Act of 1997 (BBA).

Mr. NEAL's legislation restores incentive payments for PPS-exempt rehabilitation hospitals and units that were changed by the BBA. It also changes the provision in the BBA which imposed a 15% reduction in capital payments for PPS-exempt hospitals and units for FY1998–2002.

In our efforts to restore Medicare to financial stability last year, we may have approved cuts to rehabilitation hospitals and units that actually save Medicare dollars. I am afraid that these cuts may undermine patient care and force them to either stay in hospitals longer or to be discharged home prematurely, or worse, to a nursing home.

Studies confirm that early rehabilitation for stroke and traumatic brain injury leads to shorter overall hospitalizations, less mortality and fewer complications. This translates to both federal and state, as well as private dollars, saved. A few studies have shown that stroke patients who receive rehabilitation have better outcomes that those who do not.

These studies also indicate that stroke rehabilitation patients are more likely to be discharged to a home than to a nursing home. They confirm that comprehensive rehabilitation programs are effective in treating low back pain, and that pulmonary rehabilitation reduces expensive re-hospitilization and emergency room visits.

Rehabilitation also maximizes the restoration of functional capacity, and it helps people adapt to a more independent life. Rehabilitation can help older individuals avoid the services of a nurse or home health aide in many cases. All of this translates to savings to Medicare, Medicaid and the health care system.

While we obviously cannot move legislation this year, I am concerned about the impact that BBA is having on the payment for providing rehabilitation services to Medicare beneficiaries. I am afraid that, in our efforts to restore financial stability to the Medicare system, we may have implemented a policy which will actually increase Medicare spending.

While I am cautious about suggesting any legislation that may add additional costs to the Medicare system, I do not want us to be penny wise but pound foolish. I would hope that the Congress can examine this issue carefully in the future.

INTRODUCTION OF H.R. 4858—UNITED STATES-PANAMA PARTNERSHIP ACT OF 1998

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GILMAN. Mr. Speaker, I have today introduced H.R. 4858, the United States-Panama Partnership Act of 1998.

The purpose of this legislation is to signal to the people of Panama the strong interest in the United States Congress in continuing into the next century the special relationship that has existed between our two peoples since 1903.

I am joined in sponsoring this measure by a very distinguished list of cosponsors, including CHARLIE RANGEL, Ranking Democratic Member of the Committee on Ways and Means; CHRIS COX, Chairman of the House Republican Policy Committee; DENNIS HASTERT, the Chief Deputy Majority Whip; BOB MENENDEZ, the Chief Deputy Democratic Whip; DAVID DREIER, the next Chairman of the Committee on Rules; FLOYD SPENCE, Chairman of the Committee on National Security; HENRY HYDE, Chairman of the Committee on the Judiciary; DAN BURTON, Chairman of the Committee on Government Reform and Oversight; and BILL MCCOLLUM, Chairman of the Subcommittee on Crime of the Committee on the Judiciary.

We are introducing this bill because Panama and the United States today stand at a crossroads in the special relationship between our two peoples that dates back to the beginning of this century. As this century draws to a close, our two nations must decide whether to end that relationship, or renew and reinvigorate it for the 21st century. We must decide, in other words, whether our nations should continue to drift apart, or draw closer together.

In the case of Canada and Mexico—the other two countries whose historical relationship with the United States most closely parallels Panama's—there has been a collective decision to draw our nations closer together. This decision, embodied in the North American Free Trade Agreement (NAFTA), was grounded in a recognition that, in today's world, our mutual interests are best served by increased cooperation and integration.

The legislation we are introducing today offers Panama the opportunity to join Canada and Mexico in forging a new, more mature, mutually beneficial relationship with the United States. In exchange, our legislation asks Panama to remain our partner in the war on drugs and other regional security matters by continuing to host a U.S. military presence after 1999.

Under the Panama Canal Treaties of 1977, the U.S. presence in Panama is scheduled to terminate at the end of next year. Panama will assume full control of the Panama Canal, and all U.S. military forces will be withdrawn.

A 1977 protocol to the Treaties provides that the United States and Panama may agree to extend the U.S. military presence in Panama beyond 1999, and for the last two years U.S. and Panamanian negotiators have sought to reach just such an agreement. Four weeks ago, however, it was announced that these negotiations had failed and that the U.S. military would withdraw from Panama as scheduled.

This is a regrettable turn of events for both of our countries. The United States and Panama both benefit in many ways from the traditional U.S. military presence in Panama. For the United States, that presence provides a forward platform from which to combat narcotrafficking and interdict the flow of drugs, which threatens all countries in this hemisphere.

For Panama, the U.S. presence adds an estimated $300 million per year to the local economy, fosters economic growth by contributing to a stable investment climate, and helps deter narcoterrorism from spilling over in Panama.

In retrospect, the Clinton Administration acted precipitously three years ago when it rejected Panama's offer to negotiate an extension of our traditional military presence in exchange for a package of benefits to be mutually agreed upon. In the wake of that decision, the effort to establish a Multinational Counternarcotics Center failed to gain broad support across Panama's political spectrum because it was an unfamiliar concept to most Panamanians.

Our legislation returns to, and builds upon, the concept proposed by Panama three years ago of extending the traditional U.S. military presence in Panama beyond 1999 in exchange for a package of benefits. Our legislation includes three specific provisions of benefit to Panama.

First, and most importantly, our bill offers to bring Panama into the first rank of U.S. trade partners by giving Panama the same preferential access to the U.S. market that Canada and Mexico currently enjoy. The economic value of this benefit for Panama is difficult to quantify today, but over time it should lead to significantly increased investment and employment there, which would directly benefit all Panamanians.

Second, it offers a scholarship program for deserving Panamanian students to study in the United States.

Third, it offers assistance in preparing for the construction of a new bridge across the Panama Canal.

Taken together, these specific provisions give substance to the larger promise of this legislation, which is to renew and reinvigorate the special relationship between our two peoples as we enter the 21st century, provided the people of Panama decide they want to remain our partner.

Obviously it is too later for us to seek to enact the United States-Panama Partnership Act this year. And obviously no purpose would be served by enacting this legislation if it emerges that there is little interest in Panama in renewing our special relationship along the lines proposed in this bill.

Our purpose at this stage is limited to laying out our proposal so that the people of Panama may consider it. We will introduce this bill again next year, and if by that time there have been expressions of serious interest in this proposal within Panama, we will work to move the bill forward through the legislative process.

Under Article I, section 7 of the U.S. Constitution, this bill can only originate in the House of Representatives. We are confident, however, that the Senate would join us in approving this measure, provided that the people of Panama indicate that they too wish to strengthen relations between our two countries along the lines proposed in our bill.

It is our sincere hope that Panama will accept this invitation to reinvigorate the special

relationship between our two peoples. We recognize, however, that the right to make this choice rests with the people of Panama, and we will respect their decision.

Original cosponsors of United States-Panama Partnership Act of 1998: Mr. RANGEL, Mr. COX, Mr. HASTERT, Mr. MENENDEZ, Mr. DREIER, Mr. SPENCE, Mr. HYDE, Mr. BURTON, and Mr. MCCOLLUM.

H.R. 4858

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 ''United States—Panama Partnership Act of 1998''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since Panama gained its independence in 1903, the United States and Panama have maintained extremely close relations, resting primarily on the shared interest of both countries in the smooth operation and defense of the Panama Canal.

(2) In order to defend the Panama Canal, the United States has maintained a military presence in Panama for over 90 years.

(3) In recent decades, the mission of United States military forces stationed in Panama has evolved to include significant responsibilities for the conduct of counter narcotics operations in Latin America and the Caribbean, and for the provision of logistical support to such operations by other countries and other agencies of the United States Government.

(4) Under the terms of the Panama Canal Treaty of 1977, the United States is obligated to withdraw all United States military personnel from Panama no later than December 31, 1999, and turn over all United States military facilities to the Government of Panama.

(5) Under the terms of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal of 1977, the United States will retain responsibilities for the defense of the Panama Canal after December 31, 1999.

(6) A 1977 protocol to the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal provides that ''Nothing in the treaty shall preclude the Republic of Panama and the United States from making . . . agreements or arrangements for the stationing of any United States military forces or the maintenance of defense sites after [December 31, 1999] in Panama that Panama and the United States may deem necessary or appropriate''.

(7) Public opinion surveys in Panama in recent years consistently have shown that approximately 70 percent of the population of Panama favor a continuation of the United States military presence in Panama.

(8) On September 6, 1995, during an official visit of Panama's President Ernesto Perez Balladares to the United States, it was announced that Presidents Clinton and Perez Balladares had agreed to begin informal consultations on the possible extension beyond December 31, 1999, of the United States military presence in Panama.

(9) Early discussions pursuant to the announcement of September 6, 1995, were very encouraging, but the discussions foundered after the United States refused to consider providing any form of compensation to Panama in exchange for an extension of the United States military presence.

(10) After it became clear that no agreement could be reached on extending the United States military presence in Panama past 1999 in its customary form, Panama proposed negotiations on the establishment of a Multinational Counternarcotics Center (MCC), which would permit the continuation of a limited United States military presence in Panama past 1999 and for which no compensation would be expected.

(11) On December 24, 1997, the United States and Panama announced that preliminary agreement had been reached on establishment of the MCC, but the Government of Panama subsequently reopened a number of issues on which preliminary agreement had been reached.

(12) Following rejection by the voters of Panama on August 30, 1998, of a proposed constitutional amendment to permit President Perez Balladares to seek reelection, the United States and Panama announced on September 24, 1998, that the MCC negotiations had failed and would be terminated.

(13) Panama and the United States continue to have a strong shared interest in maintaining a United States military presence in Panama beyond 1999, and both countries should seek to agree on an appropriate package of benefits to facilitate such a presence.

SEC. 3. CERTIFICATION AND REPORT REGARDING AGREEMENT TO MAINTAIN UNITED STATES MILITARY BASES IN PANAMA AFTER DECEMBER 31, 1999.

(a) SUBMISSION OF CERTIFICATION AND REPORT.—At any time before December 31, 1999, the President may submit to the Congress the certification described in subsection (b) and the report described in subsection (c).

(b) CONTENT OF CERTIFICATION.—The certification referred to in subsection (a) is a certification by the President that the United States and the Government of Panama have reached an agreement permitting the United States, for a period of not less than 15 years beginning on January 1, 2000, to maintain its military presence at Howard Air Force Base, Fort Kobbe, Rodman Naval Station, and Fort Sherman, under terms and conditions substantially similar to those that have applied since October 1, 1979, to these facilities with respect to—

(1) United States force levels;

(2) missions performed;

(3) command and control of United States elements;

(4) legal status of United States personnel;

(5) quality of life of United States personnel; and

(6) physical security of United States personnel.

(c) CONTENT OF REPORT.—The report referred to in subsection (a) is a report containing the following:

(1) The text of the agreement described in subsection (b) that has been reached between the United States and the Government of Panama.

(2) A detailed explanation of the manner in which the agreement ensures that the United States will be able to use the facilities subject to the agreement under terms and conditions substantially similar to those that have applied since October 1, 1979, to those facilities with respect to each of the items set forth in paragraphs (1) through (6) of subsection (b).

(3) If the agreement provides for a United States military presence at the facilities subject to the agreement for a period longer than 15 years, a statement of the date on which that presence expires under the agreement.

(d) SUBMISSION IN CLASSIFIED FORM.—To the degree necessary, the report under subsection (c) may be submitted in classified form.

SEC. 4. BENEFITS.

(a) IN GENERAL.—If the President submits the certification and report under section 3, then the provisions of subsections (b) through (g) apply.

(b) ASSISTANCE FOR BRIDGE PROJECT IN PANAMA.—

(1) ACTION BY TRADE AND DEVELOPMENT AGENCY.—The Director of the Trade and Development Agency shall approve a grant or grants to assist in the design, financial planning, and other preparatory steps for the construction of a new bridge across the Panama Canal.

(2) REPORTING REQUIREMENT.—Not later than one year after the date on which the President submits the certification and report under section 3, the Director of the Trade and Development Agency shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the steps taken pursuant to paragraph (1) and the status of planning for construction of a new bridge across the Panama Canal.

(c) SCHOLARSHIP PROGRAM FOR PANAMA.—

(1) ACTION BY AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the Agency for International Development shall ensure that, for the duration of the agreement period, up to $2,000,000 of the funds made available each year to the Cooperative Association of States for Scholarships program shall be made available for scholarships for deserving students from Panama to study in the United States.

(2) REPORTING REQUIREMENT.—Not later than one year after the date on which the President submits the certification and report under section 3, the Administrator of the Agency for International Development shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the steps taken pursuant to paragraph (1).

(d) TREATMENT OF CERTAIN TEXTILE AND APPAREL ARTICLES.—

(1) EQUIVALENT TARIFF AND QUOTA TREATMENT.—During the transition period—

(A) the tariff treatment accorded at any time to any textile or apparel article that originates in Panama shall be identical to the tariff treatment that is accorded at such time under section 2 of the Annex to an article described in the same 8-digit subheading of the HTS that is a good of Mexico and is imported into the United States;

(B) duty-free treatment under the Caribbean Basin Economic Recovery Act shall apply to any textile or apparel article that is imported into the United States from Panama and that—

(i) is assembled in Panama, from fabrics wholly formed and cut in the United States from yarns formed in the United States, and is entered—

(I) under subheading 9802.00.80 of the HTS; or

(II) under chapter 61, 62, or 63 of the HTS if, after such assembly, the article would have qualified for treatment under subheading 9802.00.80 of the HTS, but for the fact the article was subjected to bleaching, garments dyeing, stone-washing, enzyme-washing, acid-washing, perma-pressing, oven-baking, or embroidery;

(ii) is knit-to-shape in Panama from yarns wholly formed in the United States;

(iii) is made in Panama from fabric knit in Panama from yarns wholly formed in the United States;

(iv) is cut and assembled in Panama from fabrics wholly formed in the United States from yarns wholly formed in the United States; or

(v) is identified under paragraph (3) as a handloomed, handmade, or folklore article of Panama and is certified as such by the competent authority of that country; and

(C) no quantitative restriction or consultation level may be applied to the importation into the United States of any textile or apparel article that—

(i) originates in the territory of Panama, or

(ii) qualifies for duty-free treatment under clause (i), (ii), (iii), (iv), or (v) of subparagraph (B).

(2) TREATMENT OF OTHER NONORIGINATING TEXTILE AND APPAREL ARTICLES.—

(A) PREFERENTIAL TARIFF TREATMENT.—Subject to subparagraph (B), the President may place in effect at any time during the transition period with respect to any textile or apparel article that—

(i) is a product of Panama, but

(ii) does not qualify as a good that originates in the territory of Panama or is eligible for benefits under paragraph (1)(B),

tariff treatment that is identical to the in-preference-level tariff treatment accorded at such time under Appendix 6.B of the Annex to an article described in the same 8-digit subheading of the HTS that is a product of Mexico and is imported into the United States. For purposes of this subparagraph, the ''in-preference-level tariff treatment'' accorded to an article that is a product of Mexico is the rate of duty applied to that article when imported in quantities less than or equal to the quantities specified in Schedule 6.B.1, 6.B.2., or 6.B.3. of the Annex for imports of that article from Mexico into the United States.

(B) LIMITATIONS ON ALL ARTICLES.—Tariff treatment under subparagraph (A) may be extended, during any calendar year, to not more than 6,750,000 square meter equivalents of cotton or man-made fiber apparel, to not more than 225,000 square meter equivalents of wool apparel, and to not more than 3,750,000 square meter equivalents of goods entered under subheading 9802.00.80 of the HTS.

(C) PRIOR CONSULTATION.—The President may implement the preferential tariff treatment described in subparagraph (A) only after consultation with representatives of the United States textile and apparel industry and other interested parties regarding—

(i) the specific articles to which such treatment will be extended, and

(ii) the annual quantities of such articles that may be imported at the preferential duty rates described in subparagraph (A).

(3) HANDLOOMED, HANDMADE, AND FOLKLORE ARTICLES.—For purposes of paragraph (1), the United States Trade Representative shall consult with representatives of Panama for the purpose of identifying particular textile and apparel goods that are mutually agreed upon as being handloomed, handmade, or folklore goods of a kind described in section 2.3 (a), (b), or (c) or Appendix 3.1.B.11 of the Annex.

(4) BILATERAL EMERGENCY ACTIONS.—(A) The President may take—

(i) bilateral emergency tariff actions of a kind described in section 4 of the Annex with respect to any textile or apparel article imported from Panama if the application of tariff treatment under paragraph (1) to such article results in conditions that would be cause for the taking of such actions under such section 4 with respect to an article described in the same 8-digit subheading of the HTS that is imported from Mexico; or

(ii) bilateral emergency quantitative restriction actions of a kind described in section 5 of the Annex with respect to imports of any textile or apparel article described in clauses (i) and (ii) of paragraph (2)(A) if the importation of such article into the United States results in conditions that would be cause for the taking of such actions under such section 5 with respect to a like article that is a product of Mexico.

(B) The requirement in paragraph (5) of section 4 of the Annex (relating to providing compensation) shall not be deemed to apply to a bilateral emergency action taken under this paragraph.

(C) For purposes of applying bilateral emergency action under this paragraph—

(i) the term ''transition period'' in sections 4 and 5 of the Annex shall be deemed to be the period defined in subsection (g)(8); and

(ii) any requirements to consult specified in section 4 or 5 of the Annex are deemed to be satisfied if the President requests consultations with Panama and Panama does not agree to consult within the time period specified under such section 4 or 5, whichever is applicable.

(e) TREATMENT OF CERTAIN OTHER ARTICLES ORIGINATING IN PANAMA.—

(1) EQUIVALENT TARIFF TREATMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the tariff treatment accorded at any time during the transition period to any article referred to in any of paragraphs (2) through (5) of section 213(b) of the Caribbean Basin Economic Recovery Act that originates in Panama shall be identical to the tariff treatment that is accorded at such time under Annex 302.2 of the NAFTA to an article described in the same 8-digit subheading of the HTS that is a good of Mexico and is imported into the United States.

(B) EXCEPTION.—Subparagraph (A) does not apply to any article accorded duty-free treatment under U.S. Note 2(b) to subchapter II of chapter 98 of the HTS.

(2) RELATIONSHIP TO OTHER DUTY REDUCTIONS.—If at any time during the transition period the rate of duty that would (but for action taken under paragraph (1)(A) in regard to such period) apply with respect to any article under section 213(h) of the Caribbean Basin Economic Recovery Act is a rate of duty that is lower than the rate of duty resulting from such action, then such lower rate of duty shall be applied for the purposes of implementing such action.

(f) CUSTOMS PROCEDURES.—

(1) IN GENERAL.—

(A) REGULATIONS.—Any importer that claims preferential tariff treatment under subsection (d) or (e) shall comply with customs procedures similar in all material respects to the requirements of Article 502(1) of the NAFTA as implemented pursuant to United States law, in accordance with regulations promulgated by the Secretary of the Treasury.

(B) DETERMINATION.—In order to qualify for such preferential tariff treatment and for a Certificate of Origin to be valid with respect to any article for which such treatment is claimed, there shall be in effect a determination by the President that Panama has implemented and follows, or is making substantial progress toward implementing and following, procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

(2) CERTIFICATE OF ORIGIN.—The Certificate of Origin that otherwise would be required pursuant to the provisions of paragraph (1) shall not be required in the case of an article imported under subsection (d) or (e) if such Certificate of Origin would not be required under Article 503 of the NAFTA (as implemented pursuant to United States law), if the article were imported from Mexico.

(3) PENALTIES FOR TRANSSHIPMENTS.—If the President determines, based on sufficient evidence, that an exporter has engaged in willful illegal transshipment or willful customs fraud with respect to textile or apparel articles for which preferential tariff treatment under paragraph (1) or (2) of subsection (d) is claimed, then the President shall deny all benefits under subsections (d) and (e) of this section to such exporter, and any successors of such exporter, for a period of 2 years.

(4) STUDY BY COMMISSIONER OF CUSTOMS ON COOPERATION CONCERNING CIRCUMVENTION.—The United States Commissioner of Customs shall conduct a study analyzing the extent to which Panama—

(A) has cooperated fully with the United States, consistent with its domestic laws and procedures, in instances of circumvention or alleged circumvention of existing quotas on imports of textile and apparel goods, to establish necessary relevant facts in the places of import, export, and, where applicable, transshipment, including investigation of circumvention practices, exchanges of documents, correspondence, reports, and other relevant information, to the extent such information is available;

(B) has taken appropriate measures, consistent with its domestic laws and procedures, against exporters and importers involved in instances of false declaration concerning fiber content, quantities, description, classification, or origin of textile and apparel goods; and

(C) has penalized the individuals and entities involved in any such circumvention, consistent with its domestic laws and procedures, and has worked closely to seek the cooperation of any third country to prevent such circumvention from taking place in that third country.

The Commissioner of Customs shall submit to the Congress, not later than October 1, 1999, a report on the study conducted under this paragraph.

(g) DEFINITIONS.—For purposes of this section—

(1) AGREEMENT PERIOD.—The term ''agreement period'' means the period that begins on January 1, 2000, and ends on December 31, 2014, or such later date as is reported to the Congress under section 3(c)(3).

(2) ANNEX.—The term ''the Annex'' means Annex 300–B of the NAFTA.

(3) ENTERED.—The term ''entered'' means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(4) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

(5) NAFTA.—The term ''NAFTA'' means the North American Free Trade Agreement entered into between the United States, Mexico, and Canada on December 17, 1992.

(6) ORIGINATING.—An article shall be deemed as originating in the territory of Panama if the article meets the rules of origin for a good set forth in chapter 4 of the NAFTA, and, in the case of an article described in Appendix 6.A of the Annex, the requirements stated in such Appendix 6.A for such article to be treated as if it were an originating good. In applying such chapter 4 or Appendix 6.A with respect to Panama for purposes of this section—

(A) no countries other than the United States and Panama may be treated as being Parties to the NAFTA,

(B) references to trade between the United States and Mexico shall be deemed to refer to trade between the United States and Panama, and

(C) references to a Party shall be deemed to refer to the United States or Panama, and references to the Parties shall be deemed to refer to Panama and the United States.

(7) TEXTILE OR APPAREL ARTICLE.—The term ''textile or apparel article'' means any article referred to in paragraph (1)(A) that is a good listed in Appendix 1.1 of the Annex.

(8) TRANSITION PERIOD.—The term ''transition period'' means the period that begins on the date of the enactment of this Act and ends on the earlier of—

(A) the date that is 3 years after such date of enactment; or

(B) the date on which—

(i) the United States first applies the NAFTA to Panama upon its accession to the NAFTA; or

(ii) there enters into force with respect to the United States and Panama a free trade agreement comparable to the NAFTA that makes substantial progress in achieving the negotiating objectives set forth in section 108(b)(5) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3317(b)(5)), and that should remain in effect at least until the end of the agreement period.

SEC. 5. APPLICABILITY OF BENEFITS.

The tariff treatment under section 4 may be accorded to goods of Panama only during such periods as a designation of Panama as a beneficiary country under the Caribbean Basin Economic Recovery Act is in effect.

SEC. 6. CONFORMING AMENDMENT.

Section 213(a)(1) of the Caribbean Basin Economic Recovery Act is amended by inserting ''and except as provided in section 4 of the Panama Relations Act of 1998,'' after ''Tax Reform Act of 1986,''.

IN TRIBUTE TO WILLIAM MORRIS, JR.

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GALLEGLY. Mr. Speaker, I rise to pay tribute to my friend Bill Morris, Jr., who was recently awarded the prestigious and rare 50 Years of Service plaque from Chevrolet Corp. He is the second of three generations to operate Chevrolet dealerships in Simi Valley-Moorpark, Fillmore and Santa Paula. He also has the distinction of being the second generation holder of a 50-year plaque; his father, Bill Sr., also earned one. His son Jeff is continuing the family business.

If service to motorists of all shapes, sizes and automotive tastes was all Bill Morris had accomplished in the past 50 years, it would be quite a feat. But service is a byword with Bill: service to his business, to his family, and to his community. It is an attitude that helped his business to thrive. Many of his customers are second-generation buyers who bring with them bits of memorabilia or family pictures when they arrive to buy their car.

Bill's father moved his family to Ventura County from the San Fernando Valley in 1929 to open a dealership in Fillmore. Soon thereafter, Bill Sr. opened a second dealership in Moorpark, which eventually moved to Simi Valley. A third location, in Santa Paula, was opened in 1939. The father passed to his son his business savvy and his belief that dedication to your family and community are the responsibilities of a successful man.

Bill Jr. learned that lesson well. He and wife Jean have seven children and 14 grandchildren. Son Jeff is the newest operator of Wm. L. Morris Chevrolet. Bill has been a tireless supporter of our community's youth as continuous sponsor of community Little League teams and, most significantly, through Bill's tremendous involvement with the YMCA. His dedication to the business community earned him the distinguished Simi Valley Chamber of Commerce Businessman of the Year award in 1988.

Bill raised his sons through the YMCA Indian Guide program. In 1984, he initiated the drive to start a YMCA in Simi Valley and served as the campaign chairman. In 1987, he served as Chairman of the Board for the Southeast Ventura County YMCA, which includes Simi Valley. As the years passed, the Simi Valley YMCA expanded from its initial leased classroom at a local church. The philanthropy now serves 400 children before and after school at 11 school sites, and 500 children and families in the YMCA's Indian program. Countless others participate in teen, Y-camper and grief support programs. When the board decided it needed a central facility, Bill once again stepped to the plate, taking on the chair of ''The Time Is Now'' capital campaign. Its aim is to build a $2 million, state-of-the-art, 23,000-square-foot facility with aquatics and fitness centers, a child-watch area, a multipurpose room, meeting rooms, offices and a park. With Bill at the helm, I have no doubt the dream will come true.

Bill was also instrumental in building equestrian trails in Simi Valley and throughout Ventura County. He is honorary Past President of the Ventura Taxpayers Association, a 50-year member of Rotary International and a Paul Harris Fellow of the Rotary Foundation.

His success as an entrepreneur and his willingness to share have helped to generate a successful community.

Mr. Speaker, I know my colleagues will join me in recognizing Bill Morris, Jr. for his many years of service to his community through his business and philanthropic prowess.

IN HONOR OF MR. HARRY OFFENHARTZ AND THE ELEANOR ROOSEVELT TRIBUTE CONCERT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. LEE. Mr. Speaker, I rise to note a concert commemorating Eleanor Roosevelt's leadership in promoting the Universal Declaration of Human Rights, which will celebrate its 50th Anniversary on December 10, 1998. The tribute to Mrs. Roosevelt will feature the world premiere of a cello concerto commissioned especially for the event from the renowned composer Chen Yi and will be performed by the Women's Philharmonic Orchestra in San Francisco at the Herbst Theatre with cello soloist, Paul Tobias. It will be cosponsored by the New Heritage Music Foundation and Amnesty International. Mr. Harry Offenhartz, a good friend of mine, served as President of the New Heritage Music Foundation until his death last July at the age of 93. Mr. Offenhartz worked in the Roosevelt Administration and with Eleanor Roosevelt, and was a tireless advocate for human rights and the cause of the disadvantaged.

Mr. Speaker, it is my pleasure to share the upcoming concert with this body, and to thank and honor those who are working to commemorate Mrs. Roosevelt and the Anniversary of the Universal Declaration of Human Rights.

IN TRIBUTE TO GENERAL GEORGE OLMSTED

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mrs. FOWLER. Mr. Speaker, I rise today in tribute to a man who lived a long life which was spent wisely and in service to his country. General George Olmstead was 97 years of age when he passed away on October 8th at his home in Arlington, VA. Although I did not have the honor of knowing him personally, I am grateful that General Olmsted's grandson State Senator Locke Burt, a friend and constitute of mine, has brought his life to my attention.

General George Olmsted, was successful entrepreneur, an advocate of education, a decorated war hero, an activist in the Republican party and a leader in his community.

A life-long entrepreneur, George Olmsted's civilian time was spent in the banking and insurance industries. In 1955, he purchased control of International Bank of Washington and in 1959, he purchased Financial General Corporation, the 7th largest bank holding company in the country at the time. Headquarter in Washington, DC, Financial General Corporation controlled interests in 26 banks located in 7 States and the District of Columbia. He helped to bring availability and affordability of products and services to a market battered during the Great Depression and was a champion of the idea of better jobs and opportunities for all people.

As I read a recent Washington Post article about him, I found myself wishing that I had known this retired Army General who was originally from Iowa. A short, but true, story of General Olmsted's actions during World War II may illustrate my point:

At the end of World War II, some 30,000 allied prisoners were being held in Japanese POW camps in China. As the Japanese collapse appeared imminent, the Allies were concerned about the safety of the prisoners, one of which was General Johnathan Wainright, the hero of Bataan.

A resourceful man, General Olmsted went to his commanding officer and proposed a plan. It has been said that his superior told him it was the ''craziest scheme'' he'd ever heard in the Army and informed him that they were already readying court-martial charges against him if his plan failed.

But, because of the lack of troops to send in, or the planes to carry them out immediately, they went ahead with the General's plan. First they dropped leaflets by aircraft on each of the 11 camps immediately after the surrender. Then, a team of seven unarmed men were to parachute into each camp carrying with them letters stating that the war was over and that the allied powers know how many prisoners were in each camp and would hold each camp commander personally responsible for the safety of those prisoners.

Far from being court-martialied, General Olmsted's ideas saved the prisoner's lives and his valor did not go unnoticed. He not only received the Distinguished Service Medal, the Legion of Merit and the Bronze Star from the United States, but was awarded the Legion of Honor from France, was made an Honorary Commander of the Order of the British Empire

by Great Britain, and was honored with the Order of the Sacred Tripod and the Special Order of Pao Ting from China. The General was also praised by President Harry Truman for his handling of surplus war equipment still in China after the war.

President Truman was not the first U.S. President to notice General Oldmsted's abilities. President Herbert Hoover noticed General Olmsted's abilities even as a young man, inviting him to the White House and asking him to direct the activities of the Young Republican Division of the party in the 1932 election. General Olmsted continued to be involved in politics and even attempted a run once for Governor of Iowa.

From a young age, Olmsted showed his leadership abilities as a cadet at West Point. He was President of his class, ranked second in his class academically, was the featherweight boxing champ of the Academy and second-string quarterback for the Army football team.

In later years, he did not forget his allegiance to West Point or his tenacity for learning. In 1959, he and his wife Carole established a foundation whose principal activity is The Olmstead Scholar Program.

As a member of the Naval Academy's Board of Visitors, I am proud to say that this program has made financial grants available to hundreds of graduates from three service academies and the ROTC. The graduates enroll as full-time resident students at a foreign university of their choice. They must conduct all their studies in the language of that country and are expected to travel extensively throughout the region to learn as much as they can about the local customs and history of the people there.

Since it founding, 293 officers have been selected as Olmsted Scholars, including one former Chief of Naval Operations. These scholars have attended over 100 different universities located in 37 countries.

General Olmsted was the American success story. He worked hard, enjoyed tremendous success, and shared his good fortune with others. His accomplishments are ones of which Americans can be proud and his patriotism should be an example to our children.

THE CERTIFIED NURSE MIDWIFERY MEDICARE SERVICES ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I am pleased to introduce ''The Certified Nurse Midwifery Medicare Services Act''. This legislation will correct several inequities in the nurse-midwives' ability to provide health care services to Medicare recipients. This bill specifically increases the reimbursement rate to 95 percent of physician payment as well as permitting free-standing birth centers to receive Medicare reimbursement.

Currently, under the Medicare program, nurse-midwives are reimbursed for only 65 percent of physician's payment for providing the same services. Fifty-six percent of women who are cared for by CNMs live in areas that are designated as underserved, within inner city or rural areas. In fact, 70 percent of women and newborns seen by nurse-midwives are considered vulnerable by virtue of age, socioeconomic status, education, ethnicity, or place of residence. As of 1996, over 50,000 women, in the Medicare program, had a primary diagnosis related to ''pregnancy, childbirth and puerperium''. While Medicare has provided for coverage of the professional services of CNMs since July 1, 1988, the low 65 percent reimbursement rate results in payments of $800 to $1,200 for nine to ten months of care for pregnancy, including deliveries. At this level, nurse-midwives can not afford to serve the Medicare population, a population which is clearly increasingly in need of access to health care providers.

The second major inequity corrected by this bill would allow free standing birth centers to be reimbursed. Currently, the Medicare program does not recognize free-standing birth centers. Birth centers have a 20 year history of providing quality services with excellent outcomes for mothers and babies. In fact, the first urban birth center was established in New York City in 1975. The excellent quality of care with great savings has been demonstrated in many research studies. The most recent data released by the Health Insurance Association of America and the National Association of Childbearing Centers showed that in 1995 there was a cost savings of over $3,000 per birth when comparing a birth center to a hospital birth. Medicare can realize considerable savings and improved outcomes for disabled women and their infants who use nurse-midwives and birth centers.

Mr. Chairman, while this legislation is being introduced in the last days of the 105th Congress, I am confident that this measure will receive serious consideration in the next Congress. We must continue to work to increase access to health care for underserved populations. All too often chronically disabled women have specialists as their primary care providers who neglect their obstetrical and gynecological needs. I look forward to working with my colleagues to improve the payment restrictions on access to nurse-midwifery services for Medicare recipients.

LET'S REMEMBER OUR FRIENDS AT GPO AS WE LEAVE FOR OUR DISTRICTS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FROST. Mr. Speaker, as we close the 2nd Session of the 105th Congress, our ability to come to an orderly close is due, in great part, to the tireless efforts of our friends in the U.S. Government Printing Office.

The GPO recently performed a yeoman's task by printing all of the Kenneth Starr reports that were sent to them by the House Judiciary Committee. These massive reports were printed with great speed and professionalism.

Now, as we draw our Session to a close, these dedicated government employees are called on to print an incredible-sized piece of legislation, in addition to reprinting it in the CONGRESSIONAL RECORD, plus putting it online—and all with around-the-clock work schedules.

For over 137 years, the GPO has been a loyal, dedicated partner of the Congress.

Its critics have taken easy pot-shots at this valuable agency, but they have never provided any reliable means of producing congressional products that are as dependable as those from GPO.

As we leave Washington to return to our congressional districts, I would like to salute the men and women at the U.S. Government Printing Office for their steadfast efforts to make the operations of Congress run smoothly

Tuesday, October 20, 1998

Daily Digest

HIGHLIGHTS

House agreed to the conference report on H.R. 4328, Omnibus Consolidated and Emergency Supplemental Appropriations for fiscal year 1999 (H. Rept. 105–825).

House agreed to H. Con. Res. 353, providing for the sine die adjournment of the second session of the One Hundred Fifth Congress.

Senate

Chamber Action

Routine Proceedings, pages S12679–S12740

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 2641–2647, S. Res. 311, and S. Con. Res. 129 and 130.

Page S12720

Measures Passed:

Further Continuing Appropriations: Senate passed H.J. Res. 137, making further continuing appropriations for fiscal year 1999, clearing the measure for the President. **Page S12680**

Correction Officers Health and Safety Act: Committee on the Judiciary was discharged from further consideration of H.R. 2070, to amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S12680**

Burns (for Hatch) Amendment No. 3832, in the nature of a substitute. **Page S12680**

Africa: Seeds of Hope Act: Senate passed H.R. 4283, to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, after agreeing to the following amendment proposed thereto: **Page S12680**

Burns (for DeWine) Amendment No. 3833, in the nature of a substitute. **Page S12680**

Controlled Substances Trafficking Prohibition Act: Senate passed H.R. 3633, to amend the Controlled Substances Import and Export Act to place limitations on controlled substances brought into the United States from Mexico, clearing the measure for the President. **Pages S12680–81**

Computation of Annuities for State Department Special Agents and Security Personnel: Senate passed H.R. 633, to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers, clearing the measure for the President.

Page S12681

Regarding Access for Disabled Persons: Senate passed H.R. 4501, to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public, clearing the measure for the President. **Page S12681**

Enrollment Correction: Senate agreed to S. Con. Res. 129, to correct a technical error in the enrollment of H.R. 3910. **Page S12681**

Omnibus Appropriations, 1999: A unanimous-consent agreement was reached providing for a vote to occur on the conference report on H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, on Wednesday, October 21, 1998, at 9 a.m. **Pages S12696–S12716**

Messages from the President: Senate received the following message from the President of the United States:

Received on October 19, 1998, during the recess of the Senate:

A message from the President of the United States transmitting the report concerning the continuation of the national emergency with respect to narcotics

traffickers centered in Columbia; referred to the Committee on Foreign Relations. (PM–164).

Page S12716

Nominations Received: Senate received the following nominations:

Douglas L. Miller, of South Dakota, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2002.

1 Army nomination in the rank of general.

Page S12740

Messages From the President: Page S12716

Messages From the House: Pages S12716–18

Communications: Pages S12718–20

Statements on Introduced Bills: Pages S12720–25

Additional Cosponsors: Page S12725

Amendments Submitted: Pages S12725–28

Additional Statements: Pages S12728–40

Recess: Senate convened at 10 a.m., and recessed at 4:33 p.m., until 9 a.m., on Wednesday, October 21, 1998.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 4856–4873; and 8 resolutions, H.J. Res. 138, H. Con. Res. 353–354, and H. Res. 606–610 were introduced.

Pages H11694–95

Reports Filed: Reports were filed today as follows:

H. Res. 605, waiving points of order against the conference report to accompany H.R. 4328, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999 (H. Rept. 105–826). Page H11694

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Hefley to act as Speaker pro tempore for today. Page H11551

Recess: The House recessed at 12:44 p.m. and reconvened at 2 p.m. Page H11553

Suspensions: The House agreed to suspend the rules and pass the following measure:

Miscellaneous and Technical Amendments to Trade Law: H.R. 4856, to make miscellaneous and technical changes to various trade laws.

Page H11558–82

Recess: The House recessed at 2:50 p.m. and reconvened at 4:25 p.m. Page H11582

Preparation for the Adjournment of the Second Session Sine Die: The House agreed to H. Res. 594, as modified, providing for consideration of certain resolutions in preparation for the adjournment of the second session sine die. Page H11582

Convening Day for the 106th Congress: House passed H.J. Res. 138, appointing the day for the convening of the first session of the One Hundred Sixth Congress. Page H11582

Organizational Caucus: Pursuant to the provisions of H. Res. 594, adopted H. Res. 606, providing that any organizational caucus or conference in the House for the 106th Congress may begin on or after November 13, 1998. Page H11582

Printing of House Rules and Manual: Pursuant to the provisions of H. Res. 594, adopted H. Res. 607, providing for the printing of a revised edition of the House Rules and Manual for the 106th Congress.

Page H11582

Committee to Inform the President: Pursuant to H. Res. 594, adopted H. Res. 608, appointing Members to join a similar committee appointed by the Senate to inform the President that the two Houses have completed their business of the session and are ready to adjourn. Subsequently, appointed Representatives Armey and Gephardt to the committee. Page H11583

Omnibus Consolidated Appropriations: The House agreed to the conference report accompanying H.R. 4328, Omnibus Consolidated and Emergency Supplemental Appropriations for fiscal year 1999, by a yea and nay vote of 333 yeas to 95 nays, Roll No. 538. Pages H11592–H11669

H. Res. 605, the rule waiving points of order on the conference report accompanying the bill, was agreed to by a yea and nay vote of 333 yeas to 88 nays, Roll No. 536. Pages H11583–91

Adjournment Sine Die: Agreed to H. Con. Res. 353, providing for the adjournment of both Houses sine die. Page H11669

Bandelier National Monument Administrative Improvement and Watershed Protection: The House passed S. 1132, to modify the boundaries of the Bandelier National Monument to include the

lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize purchase or donation of those lands, by voice vote—clearing the measure for the President.

Pages H11669–70

Earlier, H. Res. 604, the rule that provided for consideration of both S. 1132 and S. 2133, was agreed to by a yea and nay vote of 229 yeas to 189 nays, Roll No. 537. **Pages H11553–58, H11591–92**

International Anti-Bribery: The House disagreed to Senate amendments nos. 2 through 6 and agreed to Senate amendment no. 1 with an amendment to S. 2375, to amend the Securities Exchange Act of 1934 and the Foreign Corrupt Practices Act of 1977, to strengthen prohibitions on international bribery and other corrupt practices. **Pages H11670–72**

Government Programs Waste Reduction: The House passed H.R. 4857, to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs. Agreed to the Davis of Virginia amendment in the nature of a substitute.

Pages H11672–79

Technology Transfer Commercialization: The House passed H.R. 4859, to improve the ability of Federal agencies to license federally owned inventions. **Pages H11679–81**

Lewis and Clark Expedition Bicentennial Commemorative Coin: The House agreed to the Senate amendment with an amendment to H.R. 1560, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis & Clark Expedition. **Pages H11681–82**

Designation of Speaker Pro Tempore: Read and accepted a letter from the Speaker wherein he designates Representative Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the end of the Second Session of the One Hundred Fifth Congress. **Page H11682**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of October 21.

Page H11682

Regarding the Sale or Diversion of Great Lakes Water: The House agreed to H. Res. 566, expressing the sense of the House of Representatives that the President and the Senate should take the necessary actions to prevent the sale or diversion of Great Lakes water to foreign countries, business, corporations, and individuals until procedures are established to guarantee that any such sale is fully negotiated between and approved by the governments concerned. **Page H11682**

Africa: Seeds of Hope: The House agreed to the Senate amendment to H.R. 4283, to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa—clearing the measure for the President. **Pages H11682–85**

Regarding the Bushehr Nuclear Power Plant: The House passed H.R. 4851, to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran. **Pages H11685–87**

Regarding the People of the Republic of Mozambique: The House agreed to H. Res. 610, expressing the sense of the House of Representatives that the people of the Republic of Mozambique are to be commended for their commitment to rebuilding their nation after years of civil war, their willingness to live together harmoniously despite sharp political differences, and their ability to overcome poverty, health crises, and refugee outflows to build a growing economy and a positive future for their country.

Page H11689

Senate Messages: Messages received from the Senate today appear on pages H11553 and H11592.

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today, and appear on pages H11591, H11591–92, and H11668–69. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:55 p.m.

Committee Meetings

CONFERENCE REPORT—TRANSPORTATION APPROPRIATIONS (OMNIBUS APPROPRIATIONS)

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4328, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Livingston and Representative Obey.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1179)*

H.J. Res. 136, making further continuing appropriations for the fiscal year 1999. Signed October 16, 1998. (P.L. 105–260)

H.R. 3616, to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, and to prescribe military personnel strengths for fiscal year 1999. Signed October 17, 1998. (P.L. 105–261)

H.R. 4103, making appropriations for the Department of Defense for the fiscal year ending September 30, 1999. Signed October 17, 1998. (P.L. 105–262)

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 21, 1998

(Committee meetings are open unless otherwise indicated)

Senate

No meetings are scheduled.

House

Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China, executive, to consider pending business, 1 p.m., H–405 Capitol.

Next Meeting of the SENATE

9 a.m., Wednesday, October 21

Senate Chamber

Program for Wednesday: Senate will vote on the conference report on H.R. 4328, Omnibus Appropriations, 1999, following which Senate may consider any legislative or executive items cleared for action.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 21

House Chamber

Program for Wednesday: Pro Forma Session.

Extensions of Remarks, as inserted in this issue

HOUSE

Berman, Howard L., Calif., E2251
Berry, Marion, Ark., E2252, E2254
Dingell, John D., Mich., E2246
Doyle, Michael F., Pa., E2251
Farr, Sam, Calif., E2240
Fowler, Tillie K., Fla., E2262
Frost, Martin, Tex., E2263
Gallegly, Elton, Calif., E2245, E2248, E2262
Gilman, Benjamin A., N.Y., E2259
Hooley, Darlene, Ore., E2254, E2256
Hoyer, Steny H., Md., E2243
Hunter, Duncan, Calif., E2252, E2253, E2255
John, Christopher, La., E2243
Kingston, Jack, Ga., E2254, E2256
Kleczka, Gerald D., Wisc., E2250
Lantos, Tom, Calif., E2257
Lee, Barbara, Calif., E2262
Maloney, Carolyn B., N.Y., E2258
Meek, Carrie P., Fla., E2257
Murtha, John P., Pa., E2252
Norton, Eleanor Holmes, D.C., E2258
Regula, Ralph, Ohio, E2243
Rodriguez, Ciro D., Tex., E2253, E2258
Royce, Edward R., Calif., E2258
Sanders, Bernard, Vt., E2244
Shaw, E. Clay, Jr., Fla., E2242
Skeen, Joe, N.M., E2251
Solomon, Gerald B.H., N.Y., E2244, E2248
Stabenow, Debbie, Mich., E2239, E2242
Stark, Fortney Pete, Calif., E2239
Tanner, John S., Tenn., E2255, E2259
Towns, Edolphus, N.Y., E2251, E2253, E2254, E2256, E2257, E2258, E2263
Underwood, Robert A., Guam, E2242
Wicker, Roger F., Miss., E2241
Wilson, Heather, N.M., E2239, E2241, E2243
Wolf, Frank R., Va., E2240, 2246
Woolsey, Lynn C., Calif., E2253
Wynn, Albert Russell, Md., E2255

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