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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. BLILEY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 9, 1999.

I hereby appoint the Honorable TOM BLILEY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

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

H.R. 882. An act to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified farmers or ranchers, and for other purposes.

H. Con. Res. 40. Concurrent resolution honoring Morris Udall, former United States Representatives from Arizona, and extending the condolences of the Congress on his death.

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. 15. Concurrent resolution honoring Morris King Udall, former United States Representative from Arizona, and extending the condolences of the Congress on his death.

The message also announced that pursuant to Public Law 105–220, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the Twenty-first Century Workforce Commission—

Susan Auld, of Vermont;

Katherine K. Clark, of Virginia;

Bobby S. Garvin, of Mississippi; and

Randel K. Johnson, of Maryland.

The message also announced that pursuant to Public Law 105–277, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individuals to serve as members of the Commission on Online Child Protection—

Jerry Berman, of Washington, D.C.—Representative of a business making content available over the Internet;

Srinija Srinivasan, of California—Representative of a business providing Internet portal or search services; and

Donald N. Telage, of Massachusetts—Representative of a business providing domain name registration services.

The message also announced that pursuant to section 194(a) of title 14, United States Code, as amended by Public Law 101–595, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Coast Guard Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Missouri (Mr. ASHCROFT), Committee on Commerce, Science, and Transportation.

The message also announced that pursuant to section 1295(b) of title 46, United States Code, as amended by Public Law 101–595, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Merchant Marine Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Maine (Ms. SNOWE), Committee on Commerce, Science, and Transportation.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, 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 Ohio (Mr. BROWN) for 5 minutes.

WE MUST NOT PRIVATIZE MEDICARE

Mr. BROWN of Ohio. Mr. Speaker, the National Commission on the Future of Medicare is poised to recommend to the President and to Congress that Medicare be privatized. They are soon likely to propose that Medicare, perhaps the Nation's best government program, be delivered to the private insurance market.

There is nothing new here. Conservative newspapers, like the Wall Street Journal and the Washington Times, for years have been attempting to privatize Medicare. Privatize it, they say, in order to save it.

This is a critical time for Medicare. The program faces significant financial difficulty in part because of the impending retirement of the baby boomers and the fact that people are living longer. The Republican answer has been to privatize Medicare by moving Medicare beneficiaries into managed care and creating Medicare medical savings accounts.

These efforts to undermine the universal risk pool that has long supported Medicare will lead to one private system for the healthy and wealthy and a government-run welfare program for the sick and the less well off.

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The managed care industry illustrates this point. HMOs understand that providing health insurance to Medicare beneficiaries who need little health care is far more profitable than providing it to those who need expensive care.

This is not a theoretical example. HMOs act according to the rules. Their primary purpose is the pursuit of profit, as it should be. Anyone who thinks we can ask the private sector to put qualitative values ahead of their shareholders' expectations of profitability did not take the same economics classes that I did.

Medicare is a fundamental part of the fabric of our society. Thirty-three years ago, before Medicare, fewer than 50 percent of America's elderly even had health insurance. Today, almost everyone over 65 is part of Medicare. It has helped people live better, it has helped people live longer. Medicare is such an important part of our lives and our society that it is almost taken for granted.

Two things about HMOs: They like profitable enrollees, and they do not stick around when things do not go their way. Last year, Medicare HMOs took it upon themselves to dispel the myth that privatization works. After enduring 1 whole year of reduced profits, more than one-fourth of the HMOs participating in Medicare, 96 plans total, quit. They left behind some 450,000 Medicare beneficiaries.

In my home city of Lorain, Ohio, United Health Care of Ohio dropped 2,000 Medicare patients from its plan because Lorain County seniors simply were not profitable enough for them. Yet United Health Care's CEO was paid a 1997 compensation of $8 million and $61 million in stock options.

Insurance that may not be there when we need it is not insurance. HMOs that bail out after 1 year are not serving anyone but their shareholders.

Clearly, the market deserves its very important place in our society. It is a dynamic engine of job growth in our State and across the country. The market creates wealth and raises our standard of living. There are many things the market does very well. But the purpose of publicly-owned national parks is to protect open space and preserve our Nation's heritage; the purpose of privatized national parks is to maximize profit through development and commercialization; the purpose of public prisons is to protect the public, to punish and to rehabilitate; the purpose of privatized prisons is to maximize profit by reducing staff and possibly cutting back on security; and the purpose of public medical systems is to provide the best health care possible to help people, especially children and the elderly, live healthier and longer lives; and the purpose of privatized medical systems is to maximize profit through private insurance companies denying benefits and introducing incentives to withhold care.

Our Nation has a compelling interest to maintain a steady, mutually beneficial balance between the public and private sectors. Private companies are important. Public programs are important. Government regulation is important.

We are in danger of becoming a land of two societies: One society for the more affluent and another for the less well off. The problem is that a Nation that produces the wealth that ours does should not leave 43 million of its citizens without health insurance. The private insurance market simply cannot provide for the common good by itself.

Let us remember how our country achieved its greatness. We are a Nation that taps the best effort and commitment from its citizens to build the world's strongest economy and the strongest Nation. We are a Nation that marshaled its military might to stop Hitler and protect freedom. We are a Nation that launched the GI bill, Social Security, Medicare, public education and the interstate highway system. We are a Nation that joins the resources of the private and public sectors to help people pursue a decent quality of life. It is a balance that works.

Let us keep Medicare the successful public program that it is.

WAR POWER AUTHORITY SHOULD BE RETURNED TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. PAUL) is recognized during morning hour debates for 5 minutes.

Mr. PAUL. Mr. Speaker, the President has stated that should a peace treaty be signed between Serbia and Kosovo he plans to send in at least 4,000 American soldiers as part of a NATO peacekeeping force.

We, the Congress, have been informed through a public statement by the President that troops will be sent. We have not been asked to act in a constitutional fashion to grant the President permission to act. He is not coming to us to fully explain his intentions. The President is making a public statement as to his intentions and we are expected to acquiesce, to go along with the funding, and not even debate the issue, just as we are doing in Iraq.

That is not a proper constitutional procedure and it should be condemned. Silence in the past, while accommodating our Presidents in all forms of foreign adventurism from Korea and Vietnam to Iraq and Bosnia, should not be the standard the Congress follows.

The Constitution is clear: Our Presidents, from Washington to Roosevelt, all knew that initiating war was clearly the prerogative of the Congress, but our memories are flawed and our reading of the law is careless. The President should not be telling us what he plans to do, he should be giving us information and asking our advice. We are responsible for the safety of our troops, how taxpayers' dollars are spent, the security of our Nation, and especially the process whereby our Nation commits itself to war.

Citing NATO agreements or U.N. resolutions as authority for moving troops into war zones should alert us all to the degree to which the rule of law has been undermined. The President has no war power, only the Congress has that. When one person can initiate war, by its definition, a republic no longer exists.

The war power, taken from the Congress 50 years ago, must be restored. If not, the conclusion must be that the Constitution of the United States can and has been amended by presidential fiat or treaty, both excluding the House of Representatives from performing its duty to the American people in preventing casual and illegal wars.

Some claim that the Kosovo involvement must be clarified as to where the money will come to finance it, the surplus or Social Security. This misses the point. We have and should exert the power of the purse, but a political argument over surpluses versus Social Security is hardly the issue.

Others have said that support should be withheld until an exit strategy is clearly laid out. But the debate should not be over the exit strategy. It is the entry process that counts.

The war powers process was set early on by our Presidents in dealing with the North African pirates in the early 19th century. Jefferson and Madison, on no less than 10 occasions, got Congress to pass legislation endorsing each military step taken. It has clearly been since World War II that our Presidents have assumed power not granted to them by the Constitution, and Congress has been negligent in doing little to stop this usurpation.

In the case of Kosovo, no troops should be sent without the consent of Congress. Vague discussion about whether or not the money will come out of Social Security or the budget surplus or call for an exit strategy will not suffice. If the war power is taken from the President and returned to the Congress, we would then automatically know the funds would have to be appropriated and the exit strategy would be easy: when we win the war.

Vague police actions authorized by the United Nations or NATO, and implemented by the President without congressional approval, invites disasters with perpetual foreign military entanglements. The concept of national sovereignty and the rule of law must be respected or there is no purpose for the Constitution.

AMERICA MUST STAND AS ONE NATION IN THE NEW MILLENIUM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, as I stand before the House today, America enjoys a period of unparalleled prosperity and peace. Our country is strong, and life is good for most Americans. Unemployment is at one of the lowest rates ever. Education is a reality for everyone, and the possibility of higher education is more achievable than ever. For once, in our halls, we are debating how to spend a surplus instead of cutting and retrenching Federal programs.

These are heady times, and we stand at the eve of the millennium with hopeful hearts. As the new century approaches, we realize that divisions are blurring and that there is more that brings us together as Americans and even as citizens of the world. The principles proclaimed by the Declaration of Independence and our Constitution continue to shine forth through the test of time, and our democracy is a shining beacon throughout the world. It is now the perfect time to reflect deeply into our future and ponder where do we want our Nation to go and what do we want our Nation to become in the years ahead.

There is immense potential for our Nation to grow and boundless opportunities for each of us to reach our potential. We are blessed with peace and stand as citizens of the most powerful, most advanced Nation in the world. It is indeed a privilege to be an American. That privilege also entails deep responsibilities and allegiance to the principles of freedom and liberty for which we pledge our own lives.

There is one injustice that besmirches our Nation's final reputation as the utmost defender of freedom, liberty, and quality. The 3.8 million citizens of Puerto Rico, as well as the nearly 200,000 citizens of the other four territories, have pledged their lives, just like the rest of their fellow citizens in the 50 States, to the cause of freedom. However, the sad truth is that throughout the century we have been sent to the front to protect the rights and freedoms of people who had more rights in our own country than we have.

Imagine, Mr. Speaker, that those who struggle alongside their fellow citizens to enable their country to fulfill its destiny do not enjoy the same rights nor the same benefits as any other citizen in the 50 States. How can this be possible? How has our Nation enabled this discrimination to continue unchecked?

Some say that the issue of the 4 million U.S. citizens in Puerto Rico and the territories is not on their radar screens this year or even in this Congress. If there is a war, I am certain we would be on their radar screens. Everyone knows that more U.S. citizens from Puerto Rico have served on the front than residents of many other States. This duplicitous standard of equal in danger and war but unequal in times of peace and prosperity must not and cannot continue to be tolerated, Mr. Speaker.

I call on my colleagues in Congress to eliminate the ignorance and the indifference that discriminates against the most needy of our society, the children, the aged, the disadvantaged, the handicapped, by virtue of living in a territory.

□ 1045

Mr. Speaker, I urge Congress to take the necessary steps to prevent this neglect and discrimination by enabling their equal participation in the most fundamental safety net programs that can make the difference for their future health and well-being, just as it does for all other elderly, disabled and needy children in any of the 50 States.

Mr. Speaker, if equality must be demanded in order to be achieved, then I am demanding it. How can some American citizens be less equal than others merely because they live in a territory and not in a State? Have those of us who live in a territory not proven our patriotism and our loyalty during this century? Can we afford to continue to ignore and trample the right to equality in our Nation?

Our Nation fights against injustices throughout the world, but in our own house it promotes unequal policies and programs that adversely affect the lives of its own citizens. Our Nation looks to invest in the future. What could be better than ensuring that all of our citizens enjoy the same rights and privileges? In the millennium let us truly stand as one Nation.

The U.S. citizens in Puerto Rico have a stake in this, our country, and have earned the right to be treated equally with our fellow citizens in the 50 States. I am calling on the wise stewardship of the leaders of this Congress to ensure that when the new century dawns, all Americans are truly equal and equally enjoy not only peace but also our Nation's economic prosperity.

FUNDING FOR NATIONAL DEFENSE

The SPEAKER pro tempore (Mr. BLILEY). Under the Speaker's announced policy of January 19, 1999, the gentleman from California (Mr. MCKEON) is recognized during morning hour debates for 5 minutes.

Mr. MCKEON. Mr. Speaker, I rise to address the House on a subject that is very important to me and our Nation. This subject is funding for our national defense. When the Clinton administration's budget was released, we heard a lot of talk that the President had finally been convinced about the need to increase defense spending. This was significant because his previous six budgets have fallen short of meeting our defense requirements despite the fact that the military deployments and operations tempo were increasing under this administration. However, as we examine the President's budget request more closely, we find once again that the increase which he had promised is failing to materialize. While the President is proposing a slight increase in procurement accounts, research and development accounts are being cut. Furthermore, military construction spending is being slashed by over 35 percent. This is particularly disturbing for two reasons: One, because we are still paying money to finish the base closure process; two, our armed services are having difficulties retaining men and women who are currently serving. As the military-civilian pay gap increases, we cannot expect to retain military personnel while at the same time expecting them to live in 1940 and 1950 era housing while working in outdated facilities. Two weeks ago in the Committee on Armed Services the four service chiefs testified about an $8.7 billion shortfall that they are facing in the next fiscal year. The actual shortfall is greater because the President is relying on favorable economic assumptions and changes in budget rules to make his defense numbers look better than they really are. For example, the Secretary of Defense testified last month before the Committee on Armed Services that low inflation and fuel costs were being factored into the fiscal year 2000 budget. Now, we know that gasoline costs are down. But I was reading in the paper yesterday that they are projecting a 25 percent increase this year. What happens if in the President's budget where he is proposing that we pick up $8 billion because gasoline and oil prices are dropping that in reality they turn around and increase?

Apart from the obvious problems of relying on economic assumptions, it was revealed last week that the Senate is planning on using the projected economic savings as an offset for the fiscal year 1999 supplemental appropriations bill. If these assumptions are used to offset the supplemental bill, then the fiscal year 2000 defense budget will be stretched even thinner. This will make it even more difficult to address shortfalls in research and development, military construction and readiness accounts and will further delay congressional initiatives to improve pay and retirement benefits for active duty military personnel as well as for our veterans.

Mr. Speaker, as a member of both the Committee on Armed Services and the Committee on Veterans' Affairs, I look forward to working with other Members to truly address the needs of those who are providing for the defense of this country.

PROTECT AMERICA'S WORKERS AND SYSTEMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it is my pleasure to reflect for a moment this morning about the importance of our being able to provide livable communities for Americans. A lot of what

we deal with on the floor of the House of Representatives at times seems a little obscure to citizens back home, but really what they care about is to make sure that their families are safe when they go out the door in the morning to go to school. They want those families to be healthy, they want them to be economically secure.

I am particularly concerned about that element of safety, Mr. Speaker. I have been witnessing events around the country of late that give me pause. In the Pacific Northwest this last November, we had a tragedy where a bus driver was shot and the bus careened through the guardrail, plunging down below into an apartment house. Thirty passengers were injured. We had a situation just a couple of weeks ago in San Diego where a bus driver was attacked, was raped and we are still trying to solve that situation. Last year in Wisconsin we had a situation where a bus passenger boarded and splashed gasoline around and seriously burned several passengers.

The point of this litany here is not that transit is inherently dangerous. In fact it is not. The statistics are clear that people are far safer taking mass transit than they are driving a car when you look at the accidents, drunk driving, drive-by shootings and carjackings. But we can and should make that transportation experience as safe as possible for the general public and the men and women who provide that service.

The Federal Government has in fact already taken steps, for example, in the area of air traffic. The men and women who provide services to us on airline flights are covered under Federal law. It is important not just for the people who deliver that service but, of course, sending that important signal about what the expectation is from the Federal Government to preserve safety is also very important to protect the passengers themselves.

That is why I am introducing legislation this week to fill this gap, because sadly there is no Federal protection, clear Federal signal about public safety as it relates to the employees who provide transit service by bus and by rail, nor do the 6 million Americans who take transit every day have the peace of mind that such a clear signal would afford. The legislation would make it a Federal crime to intentionally damage mass transit vehicles, impair the ability to safely operate the vehicle, commit an act that would cause the death or serious bodily injury to an employee or a passenger. It is a comprehensive approach to make sure that we do fill this gap, that we do make sure that we are doing everything we can to protect the workers and passengers of America's transit systems.

I hope that my colleagues will join me in cosponsoring this legislation. I think the 6 million riders who rely on mass transit every day to make their communities more livable expect no less of us.

HMO'S PULLING OUT AND NOT RENEWING THEIR CONTRACTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Today, Mr. Speaker, there is one issue that I hear an awful lot about from constituents in my district. I just finished eight town meetings. The question they ask me repeatedly is why are Medicare health maintenance organizations no longer available? It is not an easy question to answer because the issue is a complex one and there is no simple explanation.

Today I would like to share with Members my understanding of some of the major reasons why HMOs have decided not to renew their plans in central Florida and elsewhere in this country. Thus far this action has affected over 440,000 Medicare beneficiaries across this country.

Mr. Speaker, the Balanced Budget Act of 1997 restructured the system for setting the rates by which Medicare pays HMOs. The Balanced Budget Act may have been overly ambitious in setting its deadlines and these ambitious deadlines may be having the opposite effect. HCFA, the Health Care Financing Administration, created numerous problems by issuing interim final regulations that contain overly expansive interpretations of the BBA and are frankly contrary to congressional intent. HCFA also has been rigid in its implementation of the 1997 Balanced Budget Act, even though the act called for flexibility in implementing the new Medicare choice. Nevertheless, HCFA has chosen to be heavy-handed and these regulations have led to less rather than more options and choices for Medicare beneficiaries.

Health plans must also be more flexible to the new Medicare program. The new payments, the requirement for implementation of a risk adjuster, new patient protections with their emphasis on quality and the user fee for providing information to beneficiaries all must be taken into consideration. However, Mr. Speaker, the primary question we are talking about this morning is the disparity in the payments to the various counties. I believe the payment methodology is the main reason why payments are falling behind the rate of medical care inflation and that is why the HMO plans are leaving the Medicare program.

In addition, HCFA has decided to implement a new methodology for calculating the adjusted community rate (ACR). This is how health plans determine the minimum amount of Medicare noncovered benefits that they must provide and the premiums that they can charge for such benefits. The deadline may have been unworkable under the existing time frame.

So, in conclusion, Mr. Speaker, I believe that one of the most compelling reasons for HMOs leaving was that they were asked to file their adjusted community rate, by May 1. It was just not feasible. There should have been more flexibility by HCFA. I wrote a letter to the HCFA administrator to express my concern about the fact that the plans were required to submit proposals by May 1 instead of the traditional November 15 deadline based upon the regulations that were not issued until mid-June of that year.

In central Florida, I have found that many of my constituents no longer have HMOs. They are concerned, I am concerned, and others of us on the Committee on Commerce have expressed deep concern to the administrator of HCFA and we are hoping that the flexibility that is required in the program will be implemented by the new administrator.

The plans that withdrew their Medicare HMO coverage indicated they did so because of the new filing date for ACR's coupled with the knowledge that the risk adjuster proposal being designed by HCFA could result in less payments to plans.

So, Mr. Speaker, for these reasons and others we now must act.

We need to act in a bipartisan manner to help create real choice in Medicare which includes HMO's for all of our senior citizens.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

INTRODUCTION OF LEGISLATION REGARDING GHB, A DATE RAPE DRUG

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this morning I rise to thank the gentleman from Michigan (Mr. UPTON) and the gentleman from Pennsylvania (Mr. KLINK) for the hearing that they will hold this week as part of the responsibilities of the Subcommittee on Oversight and Investigations of the Committee on Commerce. This coming Thursday, that hearing will be held, and I will testify before the Committee on Commerce on GHB, a date rape drug. This uncontrolled substance has been used to commit date rape by rendering victims helpless to defend themselves against attack.

The GHB legislation that I am sponsoring, H.R. 75, is a result of a tragedy that took place in Texas involving a young woman named Hillory J. Farias. Hillory was a 17-year-old athlete and model student who died from an overdose of GHB on August 5, 1996. Throughout the 105th Congress, we worked very hard to hold hearings to introduce this legislation and to introduce this Congress to the importance

and the tragedies of the abuse of GHB. Hillory and two friends went out to a club on the night she died. This was a teenagers club, a club that did not sell alcohol. While at the club, she drank only soda. Later that evening she complained of feeling sick and her friends took her home with a severe headache. The next morning her grandmother found her unconscious and not breathing. Hillory was rushed to the hospital where she tragically died.

□ 1100

Hillory was an outstanding athlete, well loved and respected by her fellow peers. Hillory was a good young lady and, therefore, did not deserve this tragic death.

Hillory's death is not the first instance of GHB overdose. In Los Angeles, three men were convicted of using GHB to drug and rape several women. The police found photos depicting sex between the men and the unconscious women. At a New Year's Eve party in 1996, 30 to 50 people collapsed after ingesting GHB. All these victims survived.

Parents, have you heard of the so-called rave parties that are taking the country by a rave? These are teenage parties where GHB is used. The GHB formula can be found on your Internet. GHB can be made in bathtubs by bathtub loads to be able to be utilized by large masses of people. To date there have been 19 deaths officially caused by GHB. There are undoubtedly other deaths that may not have been classified as GHB related because the drug is not part of standard toxicology screen. How many parents are not aware of their young people using GHB?

The Drug Enforcement Administration has been working on placing this drug on Schedule I of the Controlled Substances Act at the Federal level. My bill, H.R. 75, directs the Attorney General to schedule GHB as a Schedule I drug and to establish programs throughout the country to educate young people about the use of controlled substances.

GHB has been used to render victims helpless, to defend against attack, and it even erases memory of the attack, making law enforcement activities very difficult. It is responsible for as many as 60 emergency room admissions in the past 6 months in Houston, Texas alone.

GHB is not legally produced in the United States. It is being smuggled across our borders, or it is being illegally created here. The recipe for this drug can be accessed, as I said earlier, on the Internet.

Scheduling a drug on the Federal Controlled Substances Act allows prosecutors to punish anyone who uses a scheduled drug in any sexual assault crime to suffer penalties on the Drug-induced Rape Prevention and Punishment Act.

This is an act that cannot be done by one committee and one group of Members alone. We look forward to working with the Committee on Commerce in this oversight committee, to work with the Food and Drug Administration to encourage it to hurry with its studies and to be collaborative and cooperative, to stop this abuse of this drug.

It is extremely important that we make sure that we schedule this drug as Schedule I to ensure that we stop the abuse, but also the tragic loss of life. I believe that we must do whatever we can do to stop the abuse of these harmful drugs. We must work with all of the parties who are interested to ensure that this occurs.

I hope that my colleagues will support this legislation and our effort to protect women and others from the violent crime of sexual assault through these drugs, but, as well, to ensure that our young people are safe. Let us strike in a chord of cooperation and bipartisanship and ensure that there is a speedy response to GHB by scheduling it as Schedule I. We call upon both the Department of Justice and the FDA to work with us to move this along as quickly as we can.

On Thursday, I will testify before the Commerce Committee on Gamma Hydroxybutyrate (GHB) a date-rape drug. This uncontrolled substance has been used to commit date rape by rendering victims helpless to defend themselves against attack.

The GHB legislation that I am sponsoring, H.R. 75, is the result of a tragedy that took place in Texas involving a young woman named Hillory J. Farias. Hillory was a 17-year-old athlete and model student who died from an overdose of GHB on August 5, 1996.

Hillory and two friends went out to a club on the night she died. While at the club, she only drank soda. Later that evening, she complained of feeling sick and her friends took her home with a severe headache. The next morning, her grandmother found her unconscious and not breathing. Hillory was rushed to the hospital where she died.

Hillory's death is not the first instance of GHB overdose. In Los Angeles, three men were convicted of using GHB to drug and rape several women. The police found photos depicting sex between the men and the unconscious women. At a New Year's Eve party in 1996, 30 to 50 people collapsed after ingesting GHB. All of these victims survived.

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Scheduling a drug on the Federal Controlled Substances Act allows prosecutors to punish anyone who uses a scheduled drug in any sexual assault crime to suffer penalties under the Drug Induced Rape Prevention and Punishment Act.

I believe we must do whatever we can to stop the abuse of these harmful drugs. I hope my Colleagues will support this legislation and our efforts to protect women and others from the violent crime of sexual assault through these drugs.

RECESS

The SPEAKER pro tempore (Mr. BLILEY). Pursuant to clause 12 of rule I, the Chair declares the House in recess until noon.

Accordingly (at 11 o'clock and 3 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Help us to discern, gracious God, that Your spirit not only ministers to us in the depths of our hearts and souls, but Your word also encourages us to be filled with that spirit and go into our communities and world and do those good works that honor You, and help people in their need. We pray that Your spirit would bless and forgive us personally, and also give us enthusiasm to share the gifts of justice and mercy with those in great need in our neighborhoods and in our world. In Your name we pray, 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 Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT 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.

SAVING SOCIAL SECURITY: THE PROGRESS CONTINUES

(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, even though our economy is doing well and expansion is continuing, each of us wants to be certain that when it comes time for our retirement Social Security will be there for us. Our current senior citizens need this assurance, the baby boomer generation needs this assurance, and our young people need this assurance.

Cynicism runs deep, as illustrated by the fact that today's young people believe that it is more likely that they will spot a UFO than that they will collect Social Security when their time comes. That is why Republicans are showing true leadership by securing 100 percent of the Social Security Trust Fund for exactly that: saving Social Security. We are committed to strengthening Social Security for years to come.

It is important to note that in the 40 years when the Democrats had control of the House, they took hundreds of billions of dollars from Social Security and spent it on other Federal programs. When Republicans took control in 1994, this ended. We balanced the Federal budget, brought about badly needed discipline in our spending activities. So today we must continue, forge a budget agreement that saves and strengthens Social Security. The progress continues.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, this week we will take up H.R. 800, the Education Flexibility Partnership Act. I believe this bill can be improved by amending it to provide for the hiring of 1,000 new teachers.

The need for such an amendment is apparent. Schools across this Nation are struggling because student enrollment has drastically increased. Evidence shows that there is a direct correlation between class size and learning ability. Students in smaller classes, especially in the early grades, make greater educational gains, and maintain those gains over time.

Smaller classes are most advantageous for poor students, minority students, and those living in rural communities. However, all children will benefit from smaller classes.

We need more teachers. It is so critical in maintaining and improving our education system, and more importantly, it indeed is the best flexibility we can provide to our education system.

NUCLEAR UTILITY INDUSTRY IS STRIKING OUT

(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, let us talk baseball, for once. America's favorite pastime is upon us here in Washington, D.C. and the rich nuclear utility industry is striking out. Today, they are simply a backstop against common sense.

It seems that Secretary Richardson has pitched a proposal to store nuclear waste safely on site until a permanent storage area can be determined to be suitable. A great idea.

To no one's surprise, the nuclear industry has balked at the plan, because it would be paid for, get this, with their money, heaven forbid, and would avoid the potentially dangerous task of shipping nuclear waste across America. Here was a chance for all America to hit a home run, but once again, it seems the nuclear industry is holding out for a bigger contract just so they can get paid and put money in their fat pockets.

Mr. Speaker, the nuclear industry fat cats are trying to build an expensive, taxpayer-paid lobbyist expansion team. Remember, the ballfield is in your district, the team is your constituents, and it is your responsibility to oppose H.R. 45 so we can win one for all America.

H.R. 835: MAKING THE R&D TAX CREDIT PERMANENT

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 835, the bill to make permanent the research and development tax credit. I am proud to be an original cosponsor of the bill, because making the research and development tax credit permanent will help to maintain the stunning economic expansion that America now enjoys.

The R&D tax credit is in place right now. In fact, the Congress has extended this on a stop-go basis since 1981. The bill making the credit permanent would assist companies in research-intensive industries, because they need to know that they can count on the credit being there in order to plan their future.

Imagine if a home mortgage interest deduction was renewed on a stop-start basis by the Congress of the United States. The housing industry would be in chaos, and American citizens would not know whether they could count on it or not.

So I think it is time to make the R&D tax credit permanent, just as the home mortgage interest deduction is, and give American companies the tools that they need. We need to continue to expand this economy and keep it stunning. I urge my colleagues to support it.

TRIBUTE TO STEVE MARTIN

(Mr. HILL of Montana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL of Montana. Mr. Speaker, I rise today with sadness to remember the life of a thoughtful young man from my district. Steve Martin was a friend to so many of us, and his mother, Thelma, is one of my dearest friends and supporters. Steve was taken from us several weeks ago in a tragic and horrifying accident that shocked us all.

I wish I could offer up some sense of what happened, but the truth is there is no earthly answer. Only God in his infinite wisdom knows his plan for each of us.

Steve had his mother's commitment to volunteerism and service to others. He never hesitated to roll up his sleeves and go to work to do what is right. Indeed, there is much to celebrate about a life that was filled with so much promise and was touched by so many people.

I sincerely hope that Thelma and her family can draw strength in these days ahead from those of us who care so deeply for them, and they will continue to trust in God's eternal promise.

CHINA CONTINUES TO THREATEN NATIONAL SECURITY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, even though China threatened to nuke Taiwan, reports say the White House had planned to sell sophisticated satellites to a group of ''Chinese businessmen.''

Unbelievable. Thank God the Pentagon intervened. According to the New York Times, this group of Chinese businessmen turned out to be the Red Army. The Red Army, I say to my colleagues.

I have said it before, and I will say it again. With policies like this, I believe we should hire a proctologist and assign him to the White House to do some training with their bureaucrats.

I yield back what national security we have left.

TRIBUTE TO HAVIS HESTER

(Mr. DICKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKEY. Mr. Speaker, I want to take this opportunity today to honor a public servant in Pine Bluff, Arkansas by the name of Havis Hester for his years of hard work and commitment, who has given himself to the citizens of Jefferson County, Arkansas.

Havis was born on April 29, 1933 on the porch of a one-room house in south Arkansas. From an early age, he always felt a need to heal the physical pain of others.

Because his family was poor, he could never afford to attend medical school. Instead, at the age of 16, Havis became an orderly at our Davis Hospital. Over

the next 20 years, Havis did what he could to relieve the physical pain of patients. He did this work as a ministry, and with such good humor and professionalism that he earned a promotion.

In 1970, Havis ran unopposed as coroner of Jefferson County. Building on his desire to mitigate the physical pain of patients, he sought to soothe the emotional pain of those left behind. He also fought to end drug abuse by helping to start the Drug-Free Jamboree.

Now, after his 28 years of heart felt public service and compassion, I want to personally thank Havis for sharing his light and goodness with the people of Jefferson County, Arkansas.

SUPPORT H.R. 835, MAKING THE R&D TAX CREDIT PERMANENT

(Mr. ETHERIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, today I rise to call on this Congress to pass legislation to make permanent the Federal Research and Development Tax Credit. I am a strong supporter and an original cosponsor of H.R. 835, which really is a bipartisan piece of legislation sponsored by Representatives JOHNSON and MATSUI to make it permanent. It is also one of the top issues of the new Democratic coalition for this Congress.

The R&D tax credit provides an essential incentive for companies to increase their investment in U.S. research and development. The R&D tax credit is important to the Research Triangle Park and the rest of my district in North Carolina, which happens to be the home for 3,100 information technology establishments and over 195,000 technology employees, and with a payroll of $5.1 billion.

This tax credit is so important because it provides a base amount, but North Carolina has an amount tied to that that will make a difference, and if the Federal is lost, so will be the State. We need to make it permanent this year.

Unless companies can consistently depend upon the combined Federal and State tax credit year in and year out, we risk the ground-breaking research that is provided for job placement.

SAVING SOCIAL SECURITY

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, a moment on Social Security. I think we are moving ahead very quickly. The challenge is still that the Democrats and the Republicans should not demagogue our efforts to try to save Social Security.

A decision was made last week with the Republicans that we are going to set aside 100 percent of the Social Security surplus.

I have a bill that I introduced last January. I invite the cosponsorship of Republicans and Democrats. Let me just briefly tell my colleagues what that bill does.

It says that we are going to lower the public debt. We are going to pay off the debt to the public for every dollar that comes in in surplus from Social Security until we use that money, the Social Security surplus, to save Social Security. It is important that we move ahead, and it is important that we work together in a bipartisan effort.

PRIVATIZING MEDICARE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, the National Commission on the Future of Medicare is poised to recommend to the President and the Congress that one of our Nation's best government programs, Medicare, be delivered to the private insurance market. There is nothing new here. Conservative newspapers like the Wall Street Journal and the Washington Times, and conservative Republicans, have been trying for years to privatize Medicare. Privatize, they say, in order to save it.

This is a critical time for Medicare. The program faces significant financial difficulty, in part because of the impending retirement of baby boomers and the fact that people are living longer. The Republican answer has been to move Medicare beneficiaries into managed care and create Medicare medical savings accounts. Privatize the program in order to save it.

Medicare is a fundamental part of the fabric of our country. Thirty-three years ago, before Medicare, half of the elderly of this country had no health insurance. Today, virtually everyone over 65 is covered by Medicare.

Meanwhile, the private insurance industry leaves 43 million Americans uninsured. That is why our public institutions like Medicare and Social Security are so important. We must keep Medicare the successful public program that it is.

NEW TITLES FOR FEDERAL GOVERNMENT BUREAUCRATS

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, the Clinton administration announced once that it was committed to reinventing government. But according to a new Brookings Institute study released yesterday, it sounds like the administration is just reinventing job titles.

Yesterday the Brookings Institute released a study, detailed in the Washington Post, that discussed this phenomenon of title creep. It stated, This administration has created as many new job titles during its 6 short years than the past seven administrations created over the preceding 33 years. Listen to some of the more inventive titles they came up with: Principal Assistant Deputy Under Secretary, associate Principal Deputy Assistant Secretary, and my personal favorite is Principal Deputy to Deputy Assistant Secretary.

The Federal Engraving and Printing office must be working overtime on these new business cards, Mr. Speaker. It is amazing they can even fit the title on one small card.

What does all this mean to the average taxpayer? It means more layers of bureaucracy, more delays, and more interference. It is hard to imagine that the American taxpayer is getting anything out of these extra layers of bureaucracy except perhaps a big headache.

But in the true spirit of the Clinton vision of reinventing government, I have decided to take a new title for myself. Imagine my new impressive business card, when it says, RICHARD K. ARMEY, B.A., M.A., Ph.D., M.C., Principal Deputy Underspeaker of the House of Representatives for the United States of America.

A TRADE WAR ON BANANAS THAT AMERICA SHOULD NOT BE IN

(Ms. WATERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATERS. Mr. Speaker, the United States is in a trade war with the European Union. It is in a trade war about bananas. We do not grow any bananas in the United States. How did we get into this trade war? One man, Carl Lindner, has triggered a trade war, Carl Lindner of Chiquita Bananas.

How did this happen? It is very simple. The European Union has a relationship with the Eastern Caribbean. The European Union that was once the colonizers, when they left independence to the colonies, they created a relationship so that these colonies could sell their bananas and be independent.

Carl Lindner cannot compete with the Eastern Caribbean, and our Trade Representatives, starting with Mickey Kanter, and before, Charlene Barchefsky, who promised we would not get into this trade war, took this issue before the World Trade Organization. They made the case on behalf of Carl Lindner, who is everybody's friend, Democrats and Republicans, and he has gotten us into this trade war.

We had better wake up. This is not something we should be in. I am going to talk about this a lot.

REPUBLICANS WANT LOCAL, NOT FEDERAL, CONTROL OF EDUCATION

(Mr. KINGSTON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, Republicans continue to work on what we call the BEST agenda: B for balancing the budget and paying down the debt, E for excellence in education, S for saving social security and Medicare, and T for lowering taxes on the middle class working families in America.

Let me talk a little bit about E for education. When I was in 11th grade back at Clark Central High School in Athens, Georgia, I had a wonderful teacher, Mrs. Musik. Now Mrs. Musik was tough. You could not split an infinitive, you could not dangle a participle in her class. She expected you to learn grammar. She expected you to read Emerson and Thoreau.

But she was the master. When she went in there, she did not have to answer to the Board of Education in Atlanta or the folks in Washington, the bureaucrats who want to run the classroom today. She was in charge.

That is what we want in the Republican Party, local control of education: letting the teacher run the classroom, not the Washington bureaucrats.

SOCIAL SECURITY AND MEDICARE

(Mr. SHOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHOWS. Mr. Speaker, more than 400,000 elderly Mississippians depend on Medicare for their health care. In my home district in Mississippi, the Fourth District, close to 93,000 elderly people depend on Medicare. Without the Medicare system, many people in Mississippi and across the country would have to live without health care.

Right now we have the opportunity to protect both social security and Medicare by reserving nearly 80 percent of the budget surplus to ensure the solvency of social security through 2055 and Medicare through 2020.

Look to the fact that prior to Medicare's introduction in the early sixties, 55 percent of Americans who reached the age of retirement lived in poverty. That number is less than 10 percent today. That decline can be attributed to the success of the Medicare system.

We cannot leave Medicare out in the cold, this valuable program which is so special, in order to offer a massive tax cut. We should take the opportunity to protect social security and Medicare, and offer the targeted tax cuts to working families who need them.

CONGRESS IS WAITING FOR THE PRESIDENT'S SOCIAL SECURITY PROPOSAL

(Mr. SCHAFFER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHAFFER. Mr. Speaker, the President has been talking about the need to save social security for a number of weeks now, but the talk has not advanced beyond general talking points and rough outlines. That is fine for television and for public relations, but Congress needs a proposal.

We have heard over and over again that the White House is ready to work with Congress in a bipartisan manner to reform social security, but we are waiting. We have not seen any legislation or even a sign of legislation coming.

Rhetoric is great, but now is the time to get to work. Congress has even set aside an honored spot for the President's social security bill, H.R. 1. Congress will immediately get to work on this bill as soon as it arrives.

It is time for the President to answer some questions about his social security proposal, particularly questions about the double-counting of imaginary money that it contains, double-counting that adds up to more than $2 trillion. H.R. 1 is a starting point. Now let us get started.

MEDICARE, SOCIAL SECURITY, AND PAYING DOWN OUR DEBT

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, Medicare and social security are two of the greatest programs for our citizens. They provide the two fundamental keys to retirement security, medical and financial security.

Before this Congress spends the budget surplus either on tax cuts or anything else, we have a responsibility to every American, past, present, and the future, to save these two American treasures, and also to pay off at least some of our national debt.

The bad news will only come if people try to make these programs more political or, worse yet, to dismantle social security and Medicare. Retirement security and senior health care are popular with the American people for a simple reason, because they work, and they have worked for many years, and paying down the national debt just make common sense.

PATIENTS' BILL OF RIGHTS

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, I believe there is no greater issue that confronts this Congress and the Nation than health care reform. This is not a Democratic issue, this is not a Republican issue, but rather, a matter whose urgency and scope should unite all of us in a bipartisan effort to ensure that each and every American can obtain affordable coverage to meet their health care needs.

This is why I am pleased to join the gentleman from Michigan (Mr. DINGELL) and my colleagues as an original cosponsor of the Patients' Bill of Rights. Mr. Speaker, my constituents, the hardworking people of Queens and the Bronx, strongly support the enactment of comprehensive health care legislation, as the vast majority of them are in favor of the Patients' Bill of Rights.

We must pass legislation that guarantees access to specialized care, common sense emergency room treatment, and the ability of women to have direct access to OB–GYN care. We as a Congress must protect the millions of Americans who are in managed care programs, and provide them with the highest quality of health care possible.

ENCOURAGING THE REPUBLICAN LEADERSHIP TO JOIN DEMOCRATS IN MAKING DEBT REDUCTION A PRIORITY

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, today I rise to encourage the Republican leadership to join my colleagues in making debt reduction a priority. My Democratic colleagues have made a commitment to dedicate the surplus to saving social security and Medicare and paying down the debt. This is the fiscally responsible decision to be made.

For the first time in a generation we will have a surplus. We are finally in the black. Just because we have some money on the positive side of the ledger, we cannot let spending fever grip Congress. I know my colleagues on the other side of this aisles want to dole out tax cuts, but now is not the time. While across-the-board tax cuts may sound attractive, it is not the most opportune time to indulge. The truth is that such a tax cut will only benefit the most affluent Americans.

We must practice fiscal responsibility and restraint. If we dedicate the surplus to paying down the debt, we can put money in the pockets of hardworking families. What I mean by that is that we can reduce the debt from $3.7 trillion to $1.3 trillion. Such a reduction will have a ripple effect on our economy. All Americans stand to gain. Economists believe that this kind of reduction would result in lower interest rates.

THE 1999 TRADE POLICY AGENDA AND THE 1998 ANNUAL REPORT ON THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. LATOURETTE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1999 Trade Policy Agenda and the 1998 Annual Report on the Trade Agreements Program. This report includes the Annual Report on the World Trade Organization, as required by section 124 of the Uruguay Round Agreements Act (19 U.S.C. 3534).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS, FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and the Workforce.

To the Congress of the United States:

It is my pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for Fiscal Year 1997.

The Arts Endowment awards more than one thousand grants each year to nonprofit arts organizations for projects that bring the arts to millions of Americans. Once again, this year's grants reflect the diversity of our Nation's culture and the creativity of our artists. Whether seeing a classic theatrical production in Connecticut or an art exhibition in Arizona, whether listening to a symphony in Iowa or participating in a fine arts training program for inner-city students in Louisiana, Americans who benefit from Arts Endowment grants have experienced the power and joy of the arts in their lives.

Arts Endowment grants in 1997 supported:

—projects in theater, dance, music, visual arts, and the other artistic disciplines, demonstrating that our diversity is an asset—and helping us to interpret the past, understand each other in the present, and envision the future;

—folk and traditional arts programs, which strengthen and showcase our rich cultural heritage; and

—arts education, which helps improve our children's skills and enhances their lives with the richness of the arts.

The arts challenge our imaginations, nourish our spirits, and help to sustain our democracy. We are a Nation of creators and innovators. As this report illustrates, the NEA continues to celebrate America's artistic achievements and makes the arts more accessible to the American people.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, 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 6 of rule XX.

If a recorded vote is ordered on House Concurrent Resolution No. 28 relating to human rights abuses in China, that vote will be taken today. If a recorded vote is ordered on any remaining motion, those votes will be postponed until tomorrow, Wednesday, March 10, 1999.

NURSING HOME RESIDENT PROTECTION AMENDMENTS OF 1999

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 540) to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid program.

The Clerk read as follows:

H.R. 540

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 ''Nursing Home Resident Protection Amendments of 1999''.

SEC. 2. RESTRICTIONS ON TRANSFERS OR DISCHARGES OF NURSING FACILITY RESIDENTS IN THE CASE OF VOLUNTARY WITHDRAWAL FROM PARTICIPATION UNDER THE MEDICAID PROGRAM.

(a) IN GENERAL.—Section 1919(c)(2) of the Social Security Act (42 U.S.C. 1396r(c)(2)) is amended by adding at the end the following new subparagraph:

''(F) CONTINUING RIGHTS IN CASE OF VOLUNTARY WITHDRAWAL FROM PARTICIPATION.—

''(i) IN GENERAL.—In the case of a nursing facility that voluntarily withdraws from participation in a State plan under this title but continues to provide services of the type provided by nursing facilities—

''(I) the facility's voluntary withdrawal from participation is not an acceptable basis for the transfer or discharge of residents of the facility who were residing in the facility on the day before the effective date of the withdrawal (including those residents who were not entitled to medical assistance as of such day);

''(II) the provisions of this section continue to apply to such residents until the date of their discharge from the facility; and

''(III) in the case of each individual who begins residence in the facility after the effective date of such withdrawal, the facility shall provide notice orally and in a prominent manner in writing on a separate page at the time the individual begins residence of the information described in clause (ii) and shall obtain from each such individual at such time an acknowledgment of receipt of such information that is in writing, signed by the individual, and separate from other documents signed by such individual.

Nothing in this subparagraph shall be construed as affecting any requirement of a participation agreement that a nursing facility provide advance notice to the State or the Secretary, or both, of its intention to terminate the agreement.

''(ii) INFORMATION FOR NEW RESIDENTS.—The information described in this clause for a resident is the following:

''(I) The facility is not participating in the program under this title with respect to that resident.

''(II) The facility may transfer or discharge the resident from the facility at such time as the resident is unable to pay the charges of the facility, even though the resident may have become eligible for medical assistance for nursing facility services under this title.

''(iii) CONTINUATION OF PAYMENTS AND OVERSIGHT AUTHORITY.—Notwithstanding any other provision of this title, with respect to the residents described in clause (i)(I), a participation agreement of a facility described in clause (i) is deemed to continue in effect under such plan after the effective date of the facility's voluntary withdrawal from participation under the State plan for purposes of—

''(I) receiving payments under the State plan for nursing facility services provided to such residents;

''(II) maintaining compliance with all applicable requirements of this title; and

''(III) continuing to apply the survey, certification, and enforcement authority provided under subsections (g) and (h) (including involuntary termination of a participation agreement deemed continued under this clause).

''(iv) NO APPLICATION TO NEW RESIDENTS.—This paragraph (other than subclause (III) of clause (i)) shall not apply to an individual who begins residence in a facility on or after the effective date of the withdrawal from participation under this subparagraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to voluntary withdrawals from participation occurring on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 540.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 540, the Nursing Home Resident Protection Amendments of 1999. This measure will protect the health and dignity of nursing home residents who rely on Medicaid.

In a hearing of my Subcommittee on Health and Environment on February 11, Mr. Nelson Mongiovi described the trauma that his mother suffered when she was targeted for eviction by her nursing home in Tampa, Florida. That facility attempted to evict over 50 Medicaid residents last year under the guise of remodeling their wing.

In fact, those residents were targeted for eviction solely, solely because they relied on Medicaid. Although a court halted the evictions in Tampa, this was not an isolated incident. Discrimination against Medicaid residents has also been reported in other States.

HCFA estimates that an average of 58 nursing homes voluntarily withdraw from the Medicaid program each year. In an informal survey of 47 States' ombudsmen, 15 cited transfer and discharge violations as highly problematic.

To stop this outrageous practice, the gentleman from Florida (Mr. JIM DAVIS) and I worked on a bipartisan basis to draft H.R. 540. Our bill adopts a simple and fair approach. It protects current nursing home residents from eviction when their facility withdraws from Medicaid. It does not, and I repeat, it does not force nursing homes to remain in the Medicaid program, and facilities may continue to decide which residents to admit in the future.

If a facility, however, withdraws from the program, H.R. 540 requires the home to provide clear notice to future residents that it does not accept Medicaid payments. This safeguard will prevent new residents from assuming that they can remain in a facility once they exhaust their assets and become Medicaid-eligible.

This legislation, Mr. Speaker, is necessary to close a loophole that exists under current law. In testimony before my subcommittee, Mike Hash, Deputy Administrator of HCFA, stated clearly, and I quote him, ''We do not have the authority to prevent evictions of Medicaid patients if nursing homes leave the Medicaid program.''

I represent a district, Mr. Speaker, with one of the highest concentrations of senior citizens in the country. I am committed to reforming our Nation's long-term care system.

□ 1230

The bill before us is part of a larger effort to remedy these problems. It addresses one serious concern by guaranteeing that nursing home residents and their families will not have to live with a fear of eviction.

H.R. 540 is a responsible measure supported by a broad range of seniors' advocates, including AARP, the Seniors Coalition, and the 60 Plus Association. In addition, the nursing home industry and the administration have endorsed the bill. It is the product of our bipartisan effort to improve safeguards for vulnerable residents of nursing homes.

I am proud to bring H.R. 540 to the floor as the first measure approved by my subcommittee in this Congress. Passage of this bill sends a clear message that we put patients ahead of profits. I urge all Members to vote in favor of H.R. 540.

Before I sign off, Mr. Speaker, I would like to express my gratitude to the gentleman from Virginia (Chairman BLILEY), to the gentleman from Michigan (Mr. DINGELL) and the gentleman from Ohio (Mr. BROWN), and of course to the staffs, Todd Tuten of my personal staff, and Mr. Mark Wheat and Mr. Tom Giles of the committee staff, and of course, Mr. John Ford, the head of the minority staff.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I commend the gentleman from Florida (Mr. DAVIS) for his hard work and obvious commitment to preempting further mistreatment of low-income nursing home residents.

I would also like to recognize the outstanding efforts of the gentleman from Florida (Mr. BILIRAKIS). Under his thoughtful leadership, this subcommittee worked on a fully informed bipartisan basis to move this important piece of legislation.

H.R. 540 has symbolic as well as practical importance. In practical terms, it tells nursing facilities they cannot provide a home to some patients and a boarding house to others.

There are more than 90,000 licensed nursing home beds in my home State of Ohio. They are licensed for the purpose of providing long-term care. That purpose should not vary with the income status of the patient.

It is abusive to evict a Medicaid or pre-Medicaid patient without notice or without cause. But nursing homes in Florida and Indiana did just that, abandoning their residents along with the premise that long-term care signified anything more than short-term profit making.

The practical purpose of this bill is to prevent that kind of mistreatment from recurring. Its symbolic purpose is to assert that nursing home residents are not to be mistreated, period.

When Congress repealed the Boren Amendment, it in effect silenced nursing homes, removing their right to appeal inadequate reimbursement. If nursing homes are truly being underpaid, then they are not the only ones to blame for the mistreatment of nursing home residents. We should rethink the 1997 Congressional appeal of the Boren Amendment.

H.R. 540 is a bold effort because it says Congress can, in fact, prevent mistreatment of Medicaid beneficiaries. Congress should pass H.R. 540 for the sake of low-income seniors and their families and because it is the right thing to do.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from Florida (Mr. DAVIS) who worked so hard on this bill.

Mr. DAVIS of Florida. Mr. Speaker, more so than ever before in the history of our country Americans are outliving their savings and good health. Many of these men and women defended our country in times of war and built our country through their hard work and sacrifice. These men and women are our parents and grandparents. Thanks to them, we enjoy a lot of the success and opportunity we have today. Many of these seniors are now in nursing homes across the country, and now it is our turn to care for them.

The issue before us today is protecting Medicaid residents from being evicted from nursing homes. The issue is preventing nursing homes from draining a patient's savings dry and then kicking them out because Medicaid is needed to pay the nursing home bill.

I believe that nursing home residents and their families should not have to live with fear of eviction based on how they pay their bills. It is unfair and flat out wrong that our most vulnerable and frail citizens, and their families, must worry about being evicted in nursing homes in favor of people who can pay higher rates.

The bill before us today provides security for these patients and their families by ensuring that they cannot be evicted from a nursing home in favor of higher paying patients if the nursing home chooses to voluntarily withdraw from the entire Medicaid program. Very simply, Mr. Speaker, our bill will ensure that our nursing homes do not put profits ahead of patients.

In April of 1998, a nursing home in my hometown of Tampa, Florida, in Hillsborough County, tried to evict 54 Medicaid residents, including Adelaida Mongiovi, under the guise of emptying their facility for remodeling. A judge halted the evictions, and the nursing home then told residents they could stay. If it had not been for the commitment and determination of the Mongiovis, we would not be here today.

Mr. Speaker, I would like to thank Nelson and Geri Mongiovi, Adelaida's son and daughter-in-law, for their commitment for their loved-one and for bringing this issue to the forefront. Although Adelaida Mongiovi passed away late last year, I know that she is proud of her son and daughter-in-law for continuing to volunteer at that nursing home every day and for fighting for the rights of those nursing home residents. I am proud to represent them. The Mongiovis are a clear example of how citizens throughout this country can identify problems that need to be addressed by Congress and persuade Congress to do the right thing.

After the judge halted the evictions in Tampa, an investigation by the Florida Agency for Health Care Administration found the evictions were based solely on the fact that these residents relied on Medicaid to pay their bills. The nursing home was subsequently fined by both the State and Federal Government.

Opponents of this legislation will argue that what the nursing home in Tampa did was illegal and that current law prevents them from evicting Medicaid residents. Mr. Speaker, that is simply not true. Yes, the nursing home in Tampa was fined because they did

not follow legal procedures for transferring and discharging patients. However, if they had followed those procedures, it would have been perfectly legal for them to remove these most frail and vulnerable citizens.

Under the current law, one of the criteria for transferring or discharging a nursing home resident is failure to pay. If the national chain that operated the nursing home in Tampa had been honest about what they were attempting to do, withdrawing from the Medicaid program, and had notified the residents and families of their intention to withdraw, they could have legally evicted these Medicaid residents for failure to pay their bills. If a nursing home no longer accepts Medicaid payment and the resident has no other means to pay their bill, they have failed to pay their bills.

According to the Health Care Financing Administration, about 58 nursing homes a year over the last 3 years have voluntarily withdrawn from Medicaid. It has been reported that in one nursing home chain alone, Medicaid residents were evicted in 13 homes in 9 separate States as part of a corporate plan to withdraw an additional 25 homes from the Medicaid program.

This is not just a Florida problem. It is a national problem which must be addressed by Congress. There are incidents of evictions and improper transfers of Medicaid residents in nursing homes in Indiana, California, Tennessee and other States. As a result of this problem, California passed legislation prohibiting these mass evictions by requiring the nursing homes that withdraw from Medicaid to wait until the patients die or choose to leave the facility.

While the Omnibus Budget Reconciliation Act of 1987 established standards to guard against resident abuse, nothing in current law protects Medicaid nursing home residents who rely solely on Medicaid to pay their bills. Residents who spend their life savings on a lengthy nursing home stay are at the mercy of a facility which could later decide to dump them based solely on the fact that they are using Medicaid to pay their bills.

H.R. 540 is simple and fair. This bill prohibits nursing homes who have already accepted a Medicaid patient or private pay patient from evicting or transferring that resident based on his or her payment status. Nursing homes may continue to decide which residents are admitted to their facility and could withdraw entirely from the Medicaid program. However, they will not be permitted to dump these residents once they are admitted.

Under this bill, nursing homes can still voluntarily leave the Medicaid system, and they should be free to do so. However, residents need minimum protection once they enter these facilities which have left Medicaid.

Many residents enter a facility as private paying clients with the expectation that they will become eligible for Medicaid when they have depleted their personal assets by paying for their care. Sixty-three percent of nursing home residents who enter a nursing home do so as a private pay patient and exhaust their personal savings in just 13 weeks, and 87 percent of them exhaust their savings in just 36 weeks.

H.R. 540 addresses this problem. If a patient enters a nursing home with the expectation that they will be eligible for Medicaid coverage in the future, they will, in fact, be protected should the nursing home withdraw from the Medicaid program in the midst of their spend down of personal assets.

Another protection included in the bill is advance notification when the nursing home decides not to participate in the Medicaid program. Under this provision, if a nursing home no longer participates, it must provide clear and conspicuous notice to future residents that the nursing home does not participate in the Medicaid program and it does not accept Medicaid patients.

Mr. Speaker, fortunately, I have not yet and hopefully will not have to experience having a loved one in a nursing home. I can only imagine what a trying and stressful time that must be. This provision of the bill is intended to relieve some of the stress of that situation. Under our bill, family members will know in advance whether the nursing home they are choosing to enter their loved one in is the appropriate nursing home for them.

I am pleased this bill has received bipartisan support in the House with 62 cosponsors. I want to thank the gentleman from Florida (Chairman BILIRAKIS) for his support of the legislation and for moving it so swiftly through the House of Representatives. I want to also thank the gentleman from Michigan (Mr. DINGELL), the ranking Democrat on the Committee on Commerce, and the gentleman from Ohio (Mr. BROWN), the ranking Democrat on the Subcommittee on Health and Environment, for their support.

In addition to their support of this bill, the bill is supported by many senior citizen advocacy groups, including the National Senior Citizens Law Center, the AARP, the National Citizens' Coalition for Nursing Home Reform, the Seniors Coalition and the 60 Plus Association.

Mr. Speaker, in closing, 1.6 million nursing home residents are at risk of eviction if this legislation is not approved. To these most vulnerable citizens, their nursing facility is, in fact, their home. Everyone should feel safe and secure in their home, including residents in nursing homes.

I urge my colleagues to join me in passing this bill to prevent our most frail and vulnerable citizens from being evicted from their homes.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman from Florida (Chairman BILIRAKIS) for yielding me this time.

Mr. Speaker, let me just say that it would appear that the challenge of future nursing home care is as much a challenge as Social Security or Medicare or Medicaid. As we look at the dramatic demographics in the changes of an increased senior population, the challenge in the future is even going to be more overwhelming.

My neighbor, Eddie Michel, of Addison, Michigan, came to me a couple of years ago concerned about the care that her mother was getting in a nursing home. That was a factor in my request from GAO along with the gentleman from Michigan (Mr. DINGELL) and others that GAO investigate the Federal compliance with our rules in terms of the care in nursing homes. That report, at a press conference, will be released officially on March 18 of this month.

In conclusion, let me say that I compliment the gentleman from Florida (Chairman BILIRAKIS) for bringing this bill forward and for all of the people that have supported this kind of legislation. I hope that we can work together in a bipartisan effort in the future to face the challenge of the tremendous cost of nursing home care in the future. A logical alternative, of course, is expanding the kind of legislation that is going to make it easier for seniors to live in their own homes. It is going to be a significant challenge. I look forward to working with Republicans and Democrats.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I rise in strong support of H.R. 540, the Nursing Home Residents Protection Amendments of 1999. This legislation provides new and strengthened authority to protect frail elderly and disabled nursing home residents who rely on the Medicaid program for their support.

This legislation was developed in response to an action by the Vencor nursing home chain to withdraw from the Medicaid program and evict residents in the facility whose care was paid for by Medicaid. The bill was developed by our colleague, the gentleman from Florida (Mr. DAVIS), with strong bipartisan support, including that of the gentleman from Florida (Mr. BILIRAKIS), the chairman of the Subcommittee on Health and Environment of the Committee on Commerce. Further, it has the strong support of the administration, consumer groups, and others.

Yet, during the consideration of this bill, the gentleman from Oklahoma (Mr. COBURN) raised concerns about the unintended consequences that he thought might be possible. He feared States will take advantage of the requirement that nursing homes must continue to care for Medicaid patients once they are a resident in the facility and would reduce their Medicaid payments to those facilities.

I think it is important to separate the issues here. First, there is no question that the residents in the facilities deserve protection, as the bill would give them. What a State may do with its reimbursement rates should not be used as an excuse to put the resident patients at risk.

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But the issue of adequate payment to Medicaid nursing homes so that they can provide quality care to their residents is an important issue. And let me remind my colleagues we used to have a provision in the Medicaid law, the so-called Boren Amendment, that required States to pay nursing homes reasonable and adequate rates, rates that would allow an efficiently run facility to provide the required care. That provision was repealed in the Balanced Budget Act.

I believe that was a mistake. I think the concerns some of my colleagues have raised, that State payments might be inadequate to support what we are requiring in this bill, is a strong argument to return to consideration of the Boren Amendment. It should be part of the Medicaid law.

So I urge my colleagues to support this bill that is before us. I urge that we also return to a reconsideration of the Boren Amendment at some time in the future, and the assurance that Medicaid payments are reasonable and adequate to provide the quality care we all support for the frail elderly and disabled people who are in nursing homes.

I urge support for the bill and appreciate this opportunity to make these comments for the RECORD.

Mr. BROWN of Ohio. 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 my colleague very much for his kindness and thank the chairman and all of the cosponsors for a very needed and instructive piece of legislation.

Mr. Speaker, H.R. 540 is long overdue. This bill prohibits nursing homes from evicting patients who receive Medicaid after the facility has voluntarily withdrawn from the Medicaid program.

Let me say that I have experienced this in recently walking through a nursing home facility in my district, receiving many, many calls from constituents who have loved ones in nursing homes near their community. This was a different set of facts, because this happened to be a nursing home that was being sold, and the word went out that these individuals, these family members, would be dispersed throughout the State, moved away from their particular loved ones. What an enormous burden. What a responsibility. What a feeling of helplessness.

This bill helps in another area, where a particular nursing home no longer uses Medicaid and they seek to replace the Medicaid-based patients with those who can privately pay.

Nursing homes provide long-term medical and residential care to patients with complex medical needs, and these services should not be based on the patient's receipt of Medicaid.

Traditionally, nursing facilities provided long-term custodial services for the elderly. However, age is no longer the predominant factor in determining a patient's need for long-term care. Nursing facilities also care for children and other adults with mental and physical disabilities and other chronic illnesses.

Despite this trend, the elderly continue to need the long-term care services provided by nursing facilities due to chronic illnesses, such as Alzheimer's and Parkinson's disease. So many Americans do not plan for their long-term care and later become impoverished when their private insurance runs out.

Medicaid is the major funding source for long-term care at most nursing facilities. I realized that many of those who I saw were individuals who no longer had any family members.

It covers almost 52 percent of the cost which includes room, board and nursing care. Although Medicaid will only pay for nursing care for patients who meet a state-determined poverty level, half of the nursing home residents eventually rely on Medicaid because they have depleted their financial resources.

This bill is important to protect the rights of patients who receive Medicaid. Nursing facilities cannot evict patients because it voluntarily chooses to withdraw from the Medicaid program.

This bill is an important bill, Mr. Speaker, to protect the rights of patients who receive Medicaid. I ask my colleagues to join us in supporting H.R. 540.

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

In closing, I would just merely communicate that we have checked with HCFA. We are trying to address a concern raised by a member of the subcommittee. There is no record of Medicaid reimbursement reductions. Further, in CBO's opinion, and I quote them, ''Nursing facilities are highly dependent on Medicaid revenue. Therefore, it is unlikely that there would be a large-scale withdrawal from Medicaid program participation under current law.''

And, additionally, something maybe we are overlooking or forgetting, the 1997 Balanced Budget Act, which did repeal the Boren Amendment, directed the Secretary of Health and Human Services to study these concerns. HHS must report to Congress by August 2001 on the effect of States' reimbursement rates on nursing home patient care.

I also would like to read from three comments that we have received in writing from Florida Secretary of Elder Affairs, Secretary Hernandez.

I applaud and strongly support your efforts to provide additional protection to elders. The evidence is overwhelming that, without extraordinary preparatory efforts that are hardly ever made, any move is harmful for the preponderance of the frail elderly; the technical term is ''transfer trauma''.

And from AARP, Mr. Horace Deets, the Executive Director,

H.R. 540 establishes clear legal authority to prevent inappropriate discharges, even when a nursing home withdraws from the Medicaid program. AARP believes this is an important and necessary step in protecting access to nursing homes for our Nation's most vulnerable citizens.

And from Mr. James L. Martin, President of the 60 Plus Association, in testifying before our committee, when he said,

Nursing homes become just that. They are not a hospital room, nor a hotel room, they are a ''home'' to these patients. Attrition, not eviction, should be the rule, so indigent patients do not suffer relocation trauma.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume to simply ask for a ''yes'' vote on H.R. 540 and again thank the gentleman from Florida (Mr. DAVIS) for his exceptional work.

Mr. STARK. Mr. Speaker, nursing home residents and their advocates welcomes speedy passage of this bill, which is designed to prevent facilities that prospectively withdraw from Mediciaid from kicking out frail elderly people whose care is paid for through that program.

Last April, the Wall Street Journal brought national attention to evictions of Medicaid residents from a nursing home in Indiana run by the chain Vencor, Inc. Subsequently, Florida fined a Vencor facility in Tampa $270,000 for doing the same thing.

The legislation before us today is only a first step. Congress can and should enact additional legislation to confirm the Health Care Financing Administration's authority to prevent nursing homes that are reimbursed by Medicaid from arbitrarily changing the number of beds allocated for residents who are enrolled in this program. If we fail to do this, facilities will continue dumping elderly people who are admitted as private-pay residents, and later told that they must leave once they have ''spent down'' because '' no Medicaid beds are available.''

Similarly, we should ensure that seniors are protected who are Medicaid-eligible at the time they seek admission to nursing homes. Too often, facilities tell these folks that their Medicaid beds are full, in hopes that a patient who can afford to pay a higher private rate will soon apply.

Such discriminatory practices, which are unfortunately all too common today, deny needed care and services to vulnerable elderly individuals who deserve our help. Yet under current law, seniors and their families have very limited ability to seek redress. The legislation we are considering today will protect some residents now living in facilities that choose to withdraw from Medicaid. However, few nursing homes voluntarily withdraw from Medicaid. And for those who are denied admission in the first instance as Medicaid enrollees, or who are asked to leave after they have exhausted their resources, this proposal is not an answer.

In the coming weeks, I will introduce legislation designed to add protections to Medicare and Medicaid to bolster enforcement efforts and improve residents' rights. I hope my colleagues will join me in supporting additional efforts to improve the quality of care in our nation's nursing facilities.

Mrs. CAPPS. Mr. Speaker, I rise today in strong support of this important legislation to protect some of the most vulnerable in our society—residents of nursing homes.

This bill would prohibit a nursing home from discharging or transferring a resident if the nursing home voluntarily withdraws from Medicaid. It would also require nursing homes that do not participate in Medicaid to inform individuals who would become residents that it does not participate in Medicaid and that it may transfer or discharge such a resident if he or she no longer is able to pay on their own, even if they become Medicaid-eligible.

The series of events that brought us this legislation are the worst nightmare for nursing home residents and their families. In April, 1998, a Tampa, FL, nursing home attempted to evict 52 Medicaid residents under the guise of remodeling the facility. Eventually, after the courts and the state intervened, the nursing home relented and invited back all the discharged patients.

But the point is not that the residents are back in their nursing home. The point is that they shouldn't have had to put up with this callous and potentially fatal disruption in their lives. The culmination of a year of confusion came last April. As Nelson Mongiovi of Tampa testified before the Health Subcommittee last month, when he went to the facility where his mother was living after newspaper stories began to appear about Medicaid dumping:

(I) saw many residents being moved out so rapidly that no one knew what was going on. The residents were crying hysterically, not knowing what was happening or where they were going. Within two days, ten residents had been evicted from this facility . . . There was utter chaos at the facility at this time with everyone, residents and family members, trying to determine what, if anything, would we be able to do.

Mr. Speaker, this legislation will hopefully put an end to scenes like that.

Protection for Medicaid-eligible nursing home residents is critical because of the large proportion of residents, often over 60% of a facility, who eventually end up on Medicaid. Typically, nursing home residents rely on Medicare to finance the first 100 days of nursing home, and then the resident relies on his or her own resources until they become eligible for Medicaid. According to some estimates, 63% of the elderly exhaust their own resources within 13 weeks and 87% within 52 weeks. These residents, who have spent all their own resources, should not be treated as second class citizens in nursing home facilities just because they now fall under Medicaid. This bill offers that protection, for residents now in homes and for future residents.

I am pleased that the Commerce Committee acted swiftly on this legislation and that the House has seen fit to act quickly as well. We must protect our vulnerable seniors in nursing homes, and their families, from the type of callous disruptions that the Mongiovi family faced.

Mr. PACKARD. Mr. Speaker, I rise today in support of H.R. 540, the Nursing Home Resident Protection Amendment. This legislation will prevent nursing homes from discriminating against residents who rely on Medicaid to cover their nursing home costs.

We have all heard the horror stories of seniors who have been evicted because their nursing home decided to withdraw from the Medicaid program. H.R. 540 will protect our seniors from being unfairly removed from their homes. This legislation will also serve to protect the nursing homes ability to withdraw from the Medicaid program, or determine which residents are admitted in the future. Under H.R. 540, nursing homes which choose to leave Medicaid are required to provide a ''clear and conspicuous'' notice to incoming residents that Medicaid payments are no longer accepted. Facilities will also be allowed to transfer residents who pay with private funds, but later become Medicaid-eligible.

Mr. Speaker, the choice to enter a nursing home is often one of the most difficult decisions to make for individuals and families. Let's not increase the stress associated with this decision by leading our seniors to believe that they could be evicted simply for the method of payment they choose.

I urge my colleagues to support H.R. 540 and protect our Nation's seniors.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time, and 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 Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 540.

The question was taken.

Mr. BILIRAKIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

REREFERRAL OF H.R. 809, FEDERAL PROTECTIVE SERVICE REFORM ACT OF 1999, TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill, H.R. 809 and that it be rereferred to the Committee on Transportation and Infrastructure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

THREE-MONTH EXTENSION OF REENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 808) to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted, as amended.

The Clerk read as follows:

H.R. 808

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

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105–277 is amended—

(1) by striking ''April 1, 1999'' each place it appears and inserting ''October 1, 1999'',

(2) in subsection (a)—

(A) by striking ''September 30, 1998'' and inserting ''March 31, 1999'', and

(B) by striking ''October 1, 1998'' and inserting ''April 1, 1999'', and

(3) by striking subsection (c).

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on April 1, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GEKAS) and the gentlewoman from Wisconsin (Ms. BALDWIN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 808, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

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

Mr. Speaker, the bill before us today will extend for 6 months a very important segment of the bankruptcy law, which is at this very moment undergoing gigantic reform considerations. But as to this particular segment, there is no dispute, no controversy, no opposition of any worth with respect to whether or not the current bill will see the light of day.

This 6-month extension for the special segment having to do with farmers and agriculture enterprises in our communities is a natural extension borne of the first introduction of specialized, particularized bankruptcy for farmers dating back to 1986. Since that time, again with very little opposition and with full understanding of the need to meet the changing requirements constantly of the farm community, those extensions have brought us up to April 1, 1999, and we will need this extension in order to continue granting to farmers the options accorded them through the bankruptcy under chapter 12.

The bill that we have introduced, which is also fast approaching full debate, the full bankruptcy legislation reform bills that we have comprehensively bonded together, that debate will include eventual inclusion of chapter 12 considerations. But in the meantime, following the pattern that we have seen evolving over the last year, we do not want to jeopardize any single farm, farmer, or entrepreneur in agriculture from taking full advantage, if need be, for the fresh start that is available to them under chapter 12.

With that in mind, we would then urge the passage of this 6-month extension under the current extension, which dates back to last year, and this will comprise an extra promise on the part of the Congress that the concerns

of the farmers and entrepreneurs in agriculture are in mind, they will be a part of the fuller debate on bankruptcy reform, and this chapter, chapter 12, will find full support, I am sure, in the eventual debates.

Chapter 12 is a form of bankruptcy relief only available to ''family farmers,'' which was enacted on a temporary basis to respond to the particularized needs of farmers in financial distress as part of the Bankruptcy Judges, United States Trustees and Family Farmer Bankruptcy Act of 1986. It was thereafter extended in 1993 to September 30, 1998. Last year, it was further extended to April 1, 1999 to September 30, 1998. Last year, it was further extended to April 1, 1999 as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act.

As we know, there currently is a financial crisis in the farming industry as the result of weather conditions and economic turmoil in the international commodity markets.

If Chapter 12 is not available, farmers will be forced to file for bankruptcy relief under the Bankruptcy Code's other alternatives. None of these forms of bankruptcy relief work quite as well for farmers as does Chapter 12. Chapter 7 would require the farmer to liquidate his or her farming operation. Many farmers would simply be ineligible to file under Chapter 13 because of its debt limits. Chapter 11 is an expensive process that does not accommodate the special needs of farmers.

This 6-month temporary extension of Chapter 12 provides important protections to family farmers, during which time Congress can further assess these provisions. Only last month, I introduced, H.R. 833, the ''Bankruptcy Reform Act of 1999,'' a bill that would make Chapter 12 a permanent form of bankruptcy relief for family farmers. In fact, included in the comprehensive series of hearings on bankruptcy reform that the Subcommittee on Commercial and Administrative Law will hold, beginning this week, will be a segment devoted to the consideration of Chapter 12 and the ways it can be improved.

Accordingly, I urge my colleagues to vote for this bill.

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

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

(Ms. BALDWIN asked and was given permission to revise and extend her remarks.)

Ms. BALDWIN. Mr. Speaker, H.R. 808, introduced by the gentleman from Michigan (Mr. SMITH), would extend chapter 12 of the bankruptcy code for an additional 6 months.

Chapter 12 is similar to chapters 11 and 13 of the Bankruptcy Code. Chapter 12 is the part of the Bankruptcy Code that is tailored to meet the economic realities of family farming during times of severe economic crisis.

With chapter 12, Congress sought to create a chapter of the Bankruptcy Code that provided a framework for successful family farm reorganizations. At the time of its first enactment, in 1986, Congress was unable to foresee whether chapter 12 would be needed by America's family farmers indefinitely. Congress extended chapter 12 twice since then, and it is currently set to expire on April 1, 1999, and H.R. 808 would extend it for an additional 6 months. Chapter 12 is the safety net of last resort for our farmers, and we must extend it.

The family farm is the backbone of our rural economy in Wisconsin and all over this Nation. Without chapter 12, if economic crisis hits a family farm, that family has no choice but to liquidate the land, equipment, crops and herd to pay off creditors, losing the farm, a supplier of food, and a way of life. With chapter 12 in place, a family's farmland and other farm-related resources cannot be seized to pay off debt.

A bankruptcy judge for the Western District of Wisconsin notes that chapter 12 has been used in his district about 50 times over the past year. Obviously, chapter 12 is needed.

Mr. Speaker, family farmers in Wisconsin have had a tough year. Our pork producers, like pork producers everywhere, are losing thousands of dollars every month. Soybean prices are at a 25-year low, and milk prices just dropped $6 per hundredweight in 1 month alone. This is on top of an archaic milk pricing system that unfairly disadvantage midwestern farmers. Safety nets that were in place before are now gone. Our farmers must have the assurance that if they are to reorganize their farm, to keep their farm, they can do so, and chapter 12 must be there for them.

I am pleased that my amendment to extend chapter 12 for 6 months prevailed in committee, and I thank the gentleman from Pennsylvania for bringing this bill to the floor so quickly. However, I believe that we should permanently extend chapter 12. Individuals in this country who consider filing for bankruptcy under chapter 7 or 13 do not have to worry whether that part of the Bankruptcy Code will be in place because it is permanent. I believe we should do no less for our family farmers and make chapter 12 a permanent part of our laws. I believe farmers, like all of us, should be able to plan for their futures.

I support H.R. 808 and hope it becomes law quickly, and I also look forward to working with the gentleman from Pennsylvania to ensure that chapter 12 gets permanently extended.

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

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Mr. GEKAS. Mr. Speaker, I yield such time as he may consume to the 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 me this time.

The gravity of the situation for family farmers nationwide makes it imperative that chapter 12 bankruptcy is extended 6 months. Beyond this, it is this Member's hope that chapter 12 bankruptcy is extended permanently as it is done in the Bankruptcy Reform Act of 1999, H.R. 833. This Member is an original cosponsor of that Bankruptcy Reform Act introduced by the gentleman from Pennsylvania (Mr. GEKAS), the distinguished chairman of the Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary.

I urge my colleagues to support this legislation.

Mr. Speaker, this Member rises today to express his support for H.R. 808, of which he is a co-sponsor, that extends Chapter 12 of the Bankruptcy Code for six additional months as amended by the Judiciary Committee. Chapter 12 bankruptcy, which allows family farmers to reorganize their debts as compared to liquidating their assets, is set to expire on March 31, 1999.

First, this Member would thank the distinguished gentleman (Mr. NICK SMITH), from Michigan for introducing H.R. 808. In addition, this Member would like to express his appreciation to the distinguished Chairman of the Judiciary Committee from Illinois (Mr. HENRY HYDE), and the distinguished Ranking Minority Member of the Judiciary Committee from Michigan (Mr. JOHN CONYERS, Jr.) for their efforts in bringing this measure to the House floor today.

Chapter 12 bankruptcy has been a viable option for family farmers nationwide. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer. If Chapter 12 bankruptcy provisions are not extended for family farmers, this will have a drastic impact on an agricultural sector already reeling from low commodity prices. Not only will many family farmers have to end their operations, but also land values will likely plunge downward. Such a decrease in land values will affect both the ability of family farmers to earn a living and the manner in which banks, making agricultural loans, conduct their lending activities. This Member has received many contacts from his constituents regarding the extension of Chapter 12 bankruptcy because of the situation now being faced by our nation's farm families—although the U.S. economy is generally healthy, it is clear that agricultural sector is hurting.

Mr. Speaker, in closing, this Member would encourage your support for H.R. 808, the six month extension of Chapter 12 bankruptcy.

Ms. BALDWIN. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentlewoman for yielding me this time. I rise today in strong support of this bill to extend for 6 months chapter 12 bankruptcy for America's small farmers. I want to thank the gentlewoman from Wisconsin (Ms. BALDWIN), the gentleman from Pennsylvania (Mr. GEKAS), the gentleman from New York (Mr. NADLER) and the gentleman from Michigan (Mr. SMITH) for their work on this important piece of legislation and for bringing it to the floor in this expedited manner.

I have been pleased to cosponsor this legislation that we will be passing

today and thank them for their efforts to help the hardworking small farmers throughout this country who are facing some of the most difficult times they have faced in decades. I have been saying for more than a year that farmers are not seeing the benefit of our Nation's unprecedented economic prosperity.

While many folks are watching the Dow, small farmers are just trying to get through this current crisis. We should permanently extend the chapter 12 farmer bankruptcy provision so that small farmers have one less worry every morning when they get up to make sure that they harvest America's bounty that each of us enjoy each day. We are taking action today to make sure that these small farmers can still stay on their land and work through these hard times.

Chapter 12 allows farmers the option to reorganize debt over 3 to 5 years rather than having to liquidate their assets when they declare bankruptcy. It also encourages responsible efforts by farmers facing bankruptcy by requiring them to designate income not needed for farm operations or family costs to pay off their debt. As these payments are made, chapter 12 prevents foreclosure on the family farm. I think it is important for us to remember, we are talking about family farmers. To qualify, these farmers will have to have at least 50 percent of their gross annual income coming from farming, no less than 80 percent of debts resulting in farm operations, and total debts not more than $1.5 million.

Mr. Speaker, Congress must take action to lend a helping hand to so many folks whose backs are against the wall through really no fault of their own. They are facing tough times.

I strongly support this noncontroversial legislation on behalf of the hardworking farmers of North Carolina's Second District and across America.

Mr. GEKAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. SMITH). This gentleman, the House should recognize, is a leader in the effort to preserve the options for farmers and agriculture entrepreneurs that are lodged in this extension and in the full bankruptcy debate which is yet to come.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time. I certainly want to associate myself with the remarks of the gentlewoman from Wisconsin (Ms. BALDWIN) as well as the gentleman from Pennsylvania (Mr. GEKAS) and the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. Speaker, agriculture is in a serious situation right now. Times are tough in farm country. While the rest of the economy is booming, American farmers and ranchers have not been invited to the party. Commodity prices, as the gentlewoman from Wisconsin indicated, are at record lows, export markets are shriveling up, and no relief is expected any time soon. While the farm credit system is currently sound, there are some producers who just will not be able to make ends meet in the short term. Some bankruptcy filings are inevitable.

In my district, a hog producer, a pork farmer, called me last week. He is the fourth generation on that farm. He is as smart as most any entrepreneur of small business. Yet because of prices, even with his efforts to lay off workers and to expand his working week to 55 or 60 hours, it still looks like that family farm may not make it.

Chapter 12 of the title 11 bankruptcy code is only available to family farmers. Last October, Congress temporarily extended chapter 12 for 6 months. My bill was passed out of this Chamber. Now we are looking at another extension because chapter 12 now is set to expire March 31, 1999. H.R. 808 will temporarily extend chapter 12 for another 6 months so that this critical option for America's family farmers does not expire.

Chapter 12 allows family farmers the option to reorganize debt rather than having to liquidate when declaring bankruptcy. The logic is that a farmer, like anybody else that needs particular tools to survive and make it back from a tough financial situation, needs the allowance to keep those tools. In this case, chapter 12 allows a farmer to continue to have some of those tools of production in order to keep farming and reorganizing. I think it is important that we note, to be eligible producers must be a family farm. That is characterized under current law by a debt not to exceed $1.5 million, not less than 80 percent of the debt related to agricultural activity, and they must have over 50 percent of their individual gross income from agriculture and their farming operation.

I am pleased that the chairman and this body is taking action on this legislation today. With less than a month to go before expiration, time is very short. I encourage as strongly as I might the other Chamber to move ahead on this legislation and get it to the President. I realize that many of us would prefer to see chapter 12 extended for a longer period of time or even made permanent. I trust that as the general bankruptcy reform debate is debated, a permanent fix for chapter 12 can be accomplished. In the interim, this legislation is needed to assure producers that this risk management tool is available to them.

Again, I thank both sides of the aisle and the chairman for moving ahead.

Mr. NADLER. Mr. Speaker, today we consider legislation to give family farmers an insulting 6 additional months of protection under chapter 12 of the Bankruptcy Code. While I seriously doubt anyone will vote against this bill, it is shameful, that we are being asked to play games with the future of family farms in America as we are witnessing the worst farm crisis since the birth of chapter 12 more than a decade ago.

No one disagrees that chapter 12 should be made permanent. No one. Bipartisan legislation has been introduced in the Other Body, by Senators GRASSLEY and DASCHLE, and in the House by our colleagues Representatives DAVID MINGE and NICK SMITH. Those bills also increase the eligibility threshold from the current $1.5 million in aggregate debt to $3 million, and give certain tax debts non-priority status if the debtor completes the plan. The first two provisions were recommendations of the National Bankruptcy Review Commission, and all three have been endorsed in a joint statement by the Commercial Law League of American, the National Bankruptcy Conference and the National College of Bankruptcy.

In fact, the sponsor of this legislation introduced a measure earlier in this Congress which would have extended chapter 12 by 6 months past the sunset date, rather than merely by the 3 months in this bill. He then introduced a bill granting only an additional 3 months. Evidently this more modest effort has found favor with the Republican leadership. It attracted the cosponsorship of the Chairman of the Subcommittee on Commercial and Administrative Law and was given a fast track.

The Gentlewoman from Wisconsin attempted to make chapter 12 permanent in Committee and was stopped by a procedural technicality. She then attempted a 2-year extension which was cut back to the 6 months we are considering today. As my colleagues know, the procedure being used today prevents us from even considering amendments to provide more time.

We had a similar experience in the last Congress, when the Gentleman from Michigan and I introduced H.R. 4697, which would have extended chapter 12 until September 30, 2000. This was short of our common goal of making chapter 12 permanent, but in view of the fact that the leadership of this House had allowed chapter 12 to sunset during a farm crisis, we felt it was a justifiable compromise. Unfortunately, the bill which ultimately was brought to the floor by the Republican leadership, H.R. 4831, and which ultimately passed the House and was enacted into law as part of the Omnibus Appropriations Act, extended chapter 12 only until the end of March 1999.

So for all you family farmers in crisis, the Republican leadership of the Congress wishes you a happy April Fools Day.

Why are we stringing family farmers along during a crisis? What policy justification could there be when there is bipartisan agreement in both houses that we give them permanent protection and provide other beneficial changes to protect America's family farms? Are the policy objections to doing so? If so, I have yet to hear one.

No, Mr. Speaker, this charade, which threatens family farms across the country, cannot possibly be justified on policy grounds. It certainly creates the unseemly appearance that family farmers are being cynically held hostage to a larger, more controversial bill which would undermine the existing legal protections for families and small businesses in financial crisis. ''You want to be protected? Help us strip protections from other families across the country.'' That certainly appears to be the message being sent today.

And who would be benefited by that larger legislation? Many of the same big banks who are trying to foreclose on America's small farms. Is that what we want? A nation owned by nothing but big banks and industrial farming operations?

Mr. Speaker, I fear that if we continue to proceed in this manner, people will lose their farms and members from farming communities will be afraid to vote their consciences on the larger bill. Let's call an end to this political game. Let's free America's family farmers and give them the protection we all agree they deserve.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 808, authorizing the extension of chapter 12 of title 11 of the United States Code for an additional 6 months.

Chapter 12 provides necessary protections for family farmers with regular annual income. Farming is a way of life not only in the heartland but also in the Southwest, Midwest and Southern regions of America. We must save America's farms! Chapter 12 is temporary legislation—we need permanent legislation—we need a bankruptcy bill that takes into account the financial crisis of farmers.

It is imperative that we pass permanent legislation that will adequately protect families with annual farm income. This extension of Chapter 12 is insufficient! Farmers need permanent legislation that will provide adequate and legal protection under the shield of bankruptcy. Now is neither the time to play partisan politics with bankruptcy nor America's farmers!

We should offer permanent legislation that will ensure the viability of agriculture and the family farmer. Now is not the time to play partisan politics with bankruptcy legislation—in an attempt to garner support for a draconian bankruptcy reform bill.

Chapter 12 was enacted on a temporary basis in 1986, then extended in 1993 for an additional 5 years—today we offer an additional 6 months of relief—Chapter 12 should be available to farmers on a permanent basis!

If we are serious about bankruptcy legislation—let us work together to provide a system that will safeguard the interest of the debtor, the debtor's family obligations and creditors. If we are serious about bankruptcy legislation—let us work together to pass legislation that will provide protection for everyone, especially individuals with special circumstances like farmers. There is no legitimate rationale for enacting permanent bankruptcy legislation to assist family farmers.

We must press forward and work together to find the best way to accomplish these goals for the benefit of all of the parties involved in the bankruptcy process. Congress must come together in the spirit of bipartisanship to enact bankruptcy reform to protect everyone.

Ms. BALDWIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GEKAS. Mr. Speaker, I have no further requests for time, and 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 Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 808, as amended.

The question was taken.

Mr. SMITH of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

EXPRESSING SUPPORT FOR FREE, FAIR, AND TRANSPARENT ELECTIONS IN INDONESIA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 32) expressing support for, and calling for actions in support of, free, fair and transparent elections in Indonesia.

The Clerk read as follows:

H. RES. 32

Whereas Indonesia is the world's fourth most populous country, has the world's largest Muslim population, and has repeatedly demonstrated itself to be a good friend of the United States;

Whereas a stable and democratic Indonesia can continue to play an important leadership role in the security and stability of Southeast Asia;

Whereas Indonesian national elections in 1955 were judged to be free and fair, but more recent elections have been far more problematic;

Whereas in response to overwhelming public demand, long-time leader (32 years) Soeharto resigned on May 21, 1998;

Whereas elections for the House of Representatives of Indonesia (DPR) have been scheduled for June 7, 1999;

Whereas it is in the interests of all Indonesians and friends of Indonesia that the June 1999 elections be free, fair, and transparent;

Whereas the Government of Indonesia has welcomed international interest and technical support for the elections, under the coordination of the United Nations Development Program;

Whereas United States and international nongovernmental organizations such as the National Democratic Institute for International Affairs (NDI), the Asia Foundation, the International Republican Institute (IRI), the International Foundation for Election Systems (IFES), and the American Center for International Labor Solidarity (ACILS) are providing election assistance throughout Indonesia; and

Whereas the active participation in election monitoring by the international community, including the United States Congress, would contribute meaningfully to the Indonesian election: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the aspirations of the Indonesian people for democratic elections;

(2) urges the Government of Indonesia to take all steps, including the provision of adequate financial and administrative resources, to ensure that the parliamentary elections scheduled for June 7, 1999, are free, fair, and transparent, according to internationally recognized standards, and that an institutional capacity is put in place for free and fair elections in the future;

(3) calls upon the Government of Indonesia to enact election laws that ensure that the will of the people is respected, both in the parliamentary elections scheduled for June 7 and in the general session of the People's Consultative Assembly (MPR) that will elect a new President and Vice President later in 1999;

(4) appeals to all political leaders and responsible persons to strive to ensure that the campaign period remains peaceful;

(5) calls upon all Indonesian political parties, the armed forces, and the pubic at large to respect the results of free and fair elections;

(6) recognizes with approval the activities of domestic and international nongovernmental organizations in the areas of voter education, technical assistance, and election monitoring;

(7) acknowledges the important financial support provided by the United States Agency for International Development for the elections;

(8) calls upon other countries to provide financial support for the elections as well; and

(9) urges the Speaker and minority leader of the House of Representatives to designate congressional observers for the June 7, 1999, election.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, as original cosponsor of H. Res. 32, this Member rises to express his strong support for actions in support of free, fair and transparent elections in Indonesia.

The fourth most populous nation in the world and a key to the stability and prosperity of the Southeast Asia region, Indonesia is undergoing a profound political transformation in the midst of a devastating economic crisis. With a culturally, linguistically and religiously diverse population of 210 million people spread over 14,000 inhabited islands, Indonesia in a geographic, ethnic and linguistic sense may be the most complicated nation in the world. Achieving a free and fair multiparty election in such a country is a daunting task, particularly since more than four decades have passed since the last such election in Indonesia.

Mr. Speaker, since the resignation of former President Soeharto in May of last year, the Government of Indonesia has taken a number of important steps toward the establishment of a more open and more genuinely democratic political system. While much remains to be done, positive actions thus far include the lifting of restrictions on freedom of the press, the freeing of a number of political prisoners, and the end to the ban on the formation of new political parties. More than 140 political parties have been formed over the past few months and out of that number 48 parties have officially qualified to compete in the parliamentary elections scheduled to take place on June 7. A successful, free and fair democratic election in June is essential to ensure that the new Indonesian President and Government, to be elected later this year, in November, will have the legitimacy and popular support to carry

through on difficult but badly needed political and economic reforms.

Mr. Speaker, this Member had the opportunity to visit Indonesia in January with a bipartisan delegation of Members co-led by the distinguished gentleman from Arizona (Mr. KOLBE). The delegation members witnessed at firsthand the momentous events that are occurring on a daily basis in Indonesia. As a result, this Member and the other Members on the delegation came away impressed by the importance of the election and the need to work together on a bipartisan basis to draft the resolution now before the House. Indeed, we completed most of the work during that trip.

It was clear from the delegation's meeting that the Government of Indonesia would also welcome the presence of congressional observers for the election under the coordination of the United Nations Development Program, UNDP. The resolution, therefore, expresses its support for adequate assistance for the U.S. Government to support election training programs, voter education and election monitoring. It calls upon the Speaker, therefore, and the Minority Leader to designate such observers. And it warns of the danger of missing this opportunity to promote peace and democracy in this critically important country where the consequences of failure are potentially very severe and very much contrary to the best interests of U.S.-Indonesian relations.

Mr. Speaker, although it is not the subject of the resolution now before us, many will also note with appreciation the recent dramatic developments concerning East Timor. For the first time, the Government of Indonesia has stated that if the people of East Timor do not accept the broad autonomy package now being negotiated under United Nations auspices, a breakthrough initiative in itself, then Indonesia would grant East Timor its independence. The latest round of these negotiations is taking place in New York this week. As a matter of fact, tomorrow. This Member knows that many of his colleagues will join him in wishing for a prompt and successful outcome in these negotiations between Portugal and Indonesia.

This Member notes with appreciation the cosponsorship of this resolution by the distinguished gentleman from Arizona (Mr. KOLBE) and all other members of the delegation that visited Indonesia in January, including the gentleman from Virginia (Mr. MORAN), the gentleman from Oregon (Mr. BLUMENAUER), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Illinois (Mr. WELLER), the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from California (Mr. KUYKENDALL). This Member urges all of his colleagues to support H.Res. 32.

Mr. Speaker, I note with great appreciation the assistance of the gentleman from California (Mr. LANTOS), my distinguished ranking member, who has also cosponsored this legislation as has the gentleman from Guam (Mr. UNDERWOOD) and several other Members on both sides of the aisle.

Mr. Speaker, I urge support for the resolution.

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

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

Let me first express my appreciation to the gentleman from Nebraska (Mr. BEREUTER) for bringing this resolution to the body. I rise in strong support of this resolution, and, Mr. Speaker, I first visited Indonesia in 1956. It was a country of enormous promise. It clearly is one of the wealthiest nations on this planet in terms of natural resources, and it has enormous human resources which, had they been led by farsighted and democratic leadership, would now be one of the most successful societies on the face of this planet. That clearly is not the case.

Cronyism, corruption, lack of democracy, Mr. Speaker, resulted in a series of horrendously bad economic decisions which, when the Asian economic crisis erupted, forced Indonesia into an economic downward spiral. Millions of Indonesians are suffering and are on the verge of starvation and economic disaster.

Our resolution expresses support for free, fair and transparent elections in Indonesia. It was reported out of the House Committee on International Relations last week with strong bipartisan support. We are pleased that Indonesia will have elections in June, and these elections will probably be the most important elections in the history of this young and potentially promising society.

Our resolution supports the democratic aspirations of the Indonesian people and calls on all Indonesian citizens, of whatever ethnic background, to strive for a peaceful campaign and to respect fully the results of the elections. The resolution urges the government of Indonesia to take all steps necessary to ensure that the June elections are free and fair and transparent, and it also expects that the election laws under which the elections will take place will stand up to democratic scrutiny.

Our resolution is strongly supportive of all domestic and international nongovernmental organizations and the government of the United States in the areas of voter education, technical assistance and election monitoring, and the resolution calls on other democratic societies that care about the future of Indonesia to provide similar aid.

Mr. Speaker, these Indonesian elections in a country of over 200 million people could be a history-making step in making Southeast Asia an arena of democracy. It will at long last take root. It is critical that we have congressional observers during the course of these elections. It is critical that the American media be represented in full force. We must not allow the still existing anti-democratic forces to take control of these elections, and I ask all of my colleagues to support H.R. 32.

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

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

(Mr. KOLBE asked and was given permission to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, I appreciate very much the gentleman from Nebraska yielding this time to me, and I also appreciate his bringing this resolution to the floor. I rise in strong support of H. Res. 32.

In January, along with the gentleman from Nebraska (Mr. BEREUTER), I had the honor of leading an official delegation that went to Indonesia as well as other countries of Asia. I was moved by the spirit that we saw in Indonesia and struck by the daunting economic and political crisis that faces that Nation. President Soeharto, who ruled Indonesia for over 30 years, left a tremendous political void in the wake of his resignation last year. Although he had brought stability and economic growth to Indonesia during the years that he ruled, when he left there was a tremendous void of institutions equipped to handle a true democracy.

So today, with a precarious economic situation, we also find a very precarious political situation.

President Habibie faces a tremendous challenge in helping steer Indonesia toward democracy. To some degree I believe that President Habibie has met this challenge. He has instituted a series of steps, including the release of political prisoners, and he has provided greater press liberties. He has ordered investigations into human rights violations and granted labor unions and political parties the right to organize. He has introduced and supported a series of election laws which will provide the framework for elections in Indonesia in June of this year.

But the question still remains, is it too little and is it too late? Indonesia remains a very close ally of the United States. Continued stability in that country is critical. It is critical to stability throughout all of Southeast Asia and, to a lesser degree, to the rest of Asia and the rest of the developing world, and that stability in Indonesia is intimately tied to elections that are free and fair and transparent.

Should this election process fail, I think the worst could happen. Certainly we should fear the worst of civil unrest, and that would have ominous consequences for Indonesia and the region.

Unfortunately little will get done financially or economically in this country until after these elections take place. Because these elections are fundamental to creating political stability, to achieving economic reform, the

international community must take a lead role in helping to ensure that the elections are conducted freely and fairly and that they are seen as being credible.

The United States has an immense interest in ensuring that the elections are free and open, and we have an immense international credibility that we can lend to this process. If we do not have progress on the political front, it is very difficult to see how we are going to make progress on the economic front afterwards.

So, Mr. Speaker, I believe the United States must take a leading role in assuring that the elections scheduled for this June are free and fair, and I pledge my strong support to assuring that that takes place. This resolution is one way for us as a Nation, as a Congress, to go on record in support of these elections, these free and open elections, and I commend the gentleman for bringing this resolution to the floor.

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

Mr. Speaker, I thank the gentleman for his eloquent statement, as well as that of the gentleman from California (Mr. LANTOS).

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

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

Before yielding to my colleague from Oregon (Mr. BLUMENAUER), let me just say that some of us are particularly concerned with respect to Indonesia with the plight of the Chinese ethnic minority in that country. In the violent eruptions following the economic collapse there was a severe persecution of the Chinese ethnic minority involving large-scale rapes and abuse of women. The Indonesian government will need to understand that for it to be accepted into the family of civilized nations it will have to guarantee all human rights to all citizens of Indonesia irrespective of their ethnic background.

Let me also say, as one who has been seized with the issue of East Timor and its population, that we welcome the favorable direction in which matters are now moving. But the people of East Timor, as indeed the Chinese ethnic minority in Indonesia, are entitled to live under a government of their own choice. They are entitled to all human rights, as are indeed all ethnic groups on the face of this planet. This election will give Indonesia an opportunity to abandon its former failed ways and to move towards a democratic and prosperous society.

Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER), my friend, who has just completed a very interesting and successful trip to the region.

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for yielding this time to me. I strongly identify with his comments, and it is a pleasure for me to share a few moments this afternoon with my colleagues, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Arizona (Mr. KOLBE), who so ably led our delegation in the recent CODEL dealing with some of the economic problems of Southeast Asia. I have forever, I think, seared in my mind more than any of the other stops along the way during our visit in that troubled region, the visions of what happened in Indonesia. It has been already mentioned on the floor of this Chamber that this is a huge country. It is the fourth most populous in the world. It has the largest Muslim population. It is spread out over 15,000 islands, most of which are inhabited, but two statistics loom large in my mind:

One is that of this vast population, over half are now at or below the Indonesian poverty level and that in this context they have moved forward to move from three political parties to over 140, and in three short months they are going to attempt without any real election infrastructure to administer their first democratic election in over 40 years.

It is a country that is troubled on several levels. The gentleman from California (Mr. LANTOS) mentioned the tragedy of East Timor, where over 200,000 people have been killed in senseless violence in the last 25 years. There is also another violence that is occurring in this vast archipelago where we have a violence against the environment, where driven by economic imperatives and poor infrastructure they are exploiting the forests, the coral reefs, the endangered species and the fishing stock. If we are not active in this region, there will be environmental damage that will have impacts throughout Southeast Asia and the world for years to come.

I strongly commend to this Chamber adoption of the resolution and our being forthright as to why these elections are so critical. Over 125,000 polling places are going to be staffed. We need to give our support for this effort.

Second and implicit here, and I hope that we find ways to make it explicit on the floor of this House and with our own personal involvement, is the American pressure to deal with these forces of transition as they try and correct their economy, as they try and have a military that makes a transition to a civil society and dealing with these environmental and ethnic issues that have been mentioned. There is an opportunity for Members of this Congress to be active both in the observation of the election process and making sure that we step forward with the appropriate aid for this giant country. I cannot conceive of any place in the world where our time and our money will be better spent, will have more impact than in Indonesia.

Mr. Speaker, for most Americans Indonesia is sort of the country that was the background for the movie, ''Year of Living Dangerously''. They have maybe some vague recollection of what has happened in East Timor. They may have some sense of this being the former colony of the Dutch East Indies.

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We must, on this floor, find ways to make this image more real and more impactful, because we cannot afford to avoid making our responsibilities known as we help them deal with the change to which they are being subjected.

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

Mr. Speaker, I want to thank the gentleman from Oregon (Mr. BLUMENAUER) for his support and his assistance. It was important not only to stress the fundamental importance of this election but, as the gentleman suggested, some of the burdens or difficulties that face Indonesia in preparing for these elections. Those of us that watched the election preparations, the infrastructure being put in place in smaller, less complicated countries like Namibia or Nicaragua, are quite concerned about the ability to put everything together in time to have that free, fair and transparent election.

The United Nations Development Program is serving as the coordinating entity for all of the bilateral and international assistance from NGOs and from our government, and so I think that is a good way to proceed and we will hope that the resources that are necessary are called upon in a timely fashion by the Indonesian government.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. STEARNS), who has an interest in this subject.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I thank my distinguished colleague, the gentleman from Nebraska (Mr. BEREUTER) for yielding.

Mr. Speaker, I also rise in support of House Resolution 32. I would say to my colleagues, I also had a similar resolution in the last Congress, which was House Resolution 281. This had bipartisan support with the gentleman from New Jersey (Mr. SMITH), the gentleman from California (Mr. ROHRBACHER) and also the gentleman from Rhode Island (Mr. KENNEDY), the gentleman from Vermont (Mr. SANDERS) and the gentlewoman from Georgia (Ms. MCKINNEY).

I want to put into the record some of the things in this House resolution because I think Mr. Habibie might want to adopt some of the things that were in my House resolution, so just as a matter of record and courtesy, I would like to provide that.

My House resolution expressed a sense of Congress that the United States should support a complete transition that will lead immediately to a democratically-elected nonmilitary government in Indonesia, which includes, one, the release of all political prisoners; two, legalization of political organizing activities; international monitoring of human rights conditions; roundtable all-party discussion; a transitional government of national unity; of course, democratic elections; a truth

commission to address past political crimes; and recognition that past injustices require redress.

As many have already pointed out, we are heartened by the transitional government of President Habibie and the fact that he has scheduled elections on June 7. I hope later this year he will schedule elections for president and vice president. I think many of us would have preferred elections earlier but I can understand the need for stability in the transition.

Congress and the United States must speak with a strong voice. We are doing that this afternoon in supporting free democratic elections. This resolution does so, and I compliment the authors. The international community should understand the United States is serious here and we will make an investment of legislation and House resolutions to make our point.

We need to continue to transmit our belief to Indonesia about Americans' constitutional history that places the power of government solely in the hands of democratically elected civilians, and the House and the Senate have an opportunity to communicate those principles by adopting this House resolution.

I commend the authors, and I thank the gentleman from Nebraska (Mr. BEREUTER) for the time.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for his comments and for his long interest in this subject and for his support today.

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

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding. I also thank the gentleman from Nebraska (Mr. BEREUTER) and all of my colleagues for introducing this very timely resolution calling for fair and free elections in Indonesia.

Mr. Speaker, as the westernmost territory of the United States, Guam is the closest American neighbor to Indonesia and we are as concerned as the rest of the Asian Pacific region regarding the plight of its people. Indonesia is strategically located in the Pacific and controls important waterways vital to our American interests. In addition, as has been pointed out, it boasts the fourth largest population in the world, as well as access to rich natural resources.

These factors ensure Indonesia's pivotal role in the Southeast Asian region and the world. Its leadership roles in the Association of South East Asian Nations, the ASEAN Regional Forum and APEC are testimonies to its important role as a regional stabilizer.

We as Americans should always stand strong in support of democratic processes throughout the world in small and large nations alike, but in this particular instance, in Indonesia's instance, the stability of the region depends upon seeing in place in Indonesia a country with a functioning democracy which recognizes the rule of law and the will of the people and which recognizes the ethnic diversity that is Indonesia, and which also extends the benefits of its vast resources and economic potential to all sectors of society. This is why free, fair and transparent elections are critical during the June elections this year.

Triggered by the Asian financial crisis 2 years ago, we have seen the fall of the authoritarian regime in Indonesia and the emergence of a more active and vocal Indonesian electorate ready to take on the responsibility of electing their officials.

H. Res. 32 calls for peaceful, transparent, fair and responsible elections. I fully support this resolution, not only on behalf of democracy but on behalf of national security and human rights, and I would also like to take the opportunity to congratulate Indonesia for going in the right direction on East Timor.

Mr. LANTOS. Mr. Speaker, before yielding time to my good friend and colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), let me call the attention of all Members here to the extraordinary profile that the New York Times ran on this remarkable Member of our body. I was very proud and pleased to read the well-deserved accolades that the gentlewoman from Texas (Ms. JACKSON-LEE) received in the Times.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), to speak on this issue.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I guess I will take the same number of seconds and minutes to thank my good friend, the gentleman from California (Mr. LANTOS), for what has been years and years of commitment to this very important issue and as well his both legacy and continuing service in the Congress.

Mr. Speaker, this is an important issue on human rights. Let me thank the gentleman from Nebraska (Mr. BEREUTER) for his leadership along, with the gentleman from New York (Chairman GILMAN), for continuously being at the cutting edge of ensuring that the words that we speak here on the Floor of the House are translated into our foreign policy and foreign relations.

Mr. Speaker, I rise to enthusiastically support H. Res. 32, which I think very succinctly calls upon the government of Indonesia to do something that we in America have come to expect, whether it is our local school bond election or city council elections, or whether or not we are electing the President of the United States. We believe in unfettered access to the right to elect those of our choice.

I believe this is an important statement to call upon the government of Indonesia to enact election laws that ensure that the will of the people is respected, both in the parliamentary elections scheduled for June 7 and in the general session of the People's Consultive Assembly. We are appealing to all of the political leaders and responsible persons to strive to ensure that the campaign for peace remains peaceful.

I am very much aware of the good works of our committee, that deals in international relations, as it related to last week's elections in Nigeria. It is important that we mix the concepts of foreign relations, foreign policy, the idea of business exchange with the question of human rights and the free access to democracy. If we had not done that in years past, we would not have some of the stable situations going on in places where democracy had not been heard of.

In instances where the Berlin Wall stood, it was our voices that helped to bring it down, and so I would ask that we support H. Res. 32 and bring to Indonesia a friend, a shining democracy.

Mr. Speaker, I rise in support of H. Res. 32, calling for Open Elections in Indonesia.

This body has been a fervent supporter of groups and nations, which have chosen to embrace the principles and ideals of democracy.

A basic a tenant of our democracy has been the peaceful transition of legislative and executive authority. Our nation and the world witness a shinning example of this as every four years our nation holds a presidential election. Despite the acrimony of the presidential campaign, our nation has consistently transferred the power of the presidency in a peaceful and fair manner.

The peaceful transition that has characterized American elections has unfortunately not been the case in Indonesia.

Most casual observers would agree that Indonesia elections have been problematic at best. In Indonesia, free and fair elections have been replaced by anarchy, chaos, and the lack of recognition of democratically elected officials.

Beginning with Indonesia's independence, through the Presidency of Suharto, Indonesia's elections have been marred by violence.

The armed forces of Indonesia have been cited by human rights observers for human rights abuses such as torture, extra-judicial killings and the imprisonment of East Timorese advocating independence.

In light of these past abuses Mr. Speaker; it is poignant that this Body urge the Indonesian government to conduct its upcoming elections in a free and fair manner.

This Resolution would send a message to citizens, political parties, and the military community that the viability of a democracy rests in part on the respect with which this process is fulfilled.

These parties should adhere to the American model in carrying out their elections, by conducting them in a free and fair manner. This body stands ready to assist the Indonesians in the carrying forth of the election process with any assistance necessary.

Mr. Speaker, I urge the members of this body to support this resolution and assist the

Indonesian people in strengthen their democracy.

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, the balance of the majority's time will be controlled by the gentleman from New York (Mr. GILMAN).

There was no objection.

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

Mr. LANTOS. Mr. Speaker, I am delighted to yield as much time as she may consume to the gentlewoman from California (Ms. PELOSI), a voice for human rights in all of Asia and indeed in a global sense, my colleague and neighbor from San Francisco, who has been a champion of human rights ever since she joined us in this body. It has been with a great deal of pleasure and pride that I have followed her incredibly successful and articulate struggles for the rights of oppressed people everywhere to live in freedom and decency.

Ms. PELOSI. Mr. Speaker, I thank my distinguished colleague, the gentleman from California (Mr. LANTOS) for yielding the time, and for his very, very generous remarks.

Mr. Speaker, I commend the makers of this resolution and rise in support of it, but in doing so I first want to acknowledge the considerable contribution of our colleague, the gentleman from California (Mr. LANTOS) to human rights throughout the world. Everyone has known for a long time, certainly in our city and in the State of California we have taken great pride in the leadership of the gentleman from California (Mr. LANTOS). Now the whole world knows more about where his leadership and his drive on promoting human rights springs from and, of course, it was his own experience in the Holocaust. He has moral authority. He has knowledge. He has exercised leadership. So I am honored to be recognized by him to speak on this important resolution.

This resolution urging free and fair elections in Indonesia is important because promoting freedom, and free and fair elections, is important, but also because Indonesia is in a fragile state at this time.

It is just a matter of months since the fall of Soeharto and now many, many parties, scores of political parties, are lining up for the elections.

We have some issues, we have, some of us in this Congress, with Indonesia, and that would be the resolution of the situation in East Timor and that looks promising now; the situation in terms of the role of the military in a civilian society, that was better before, has worsened and hopefully these elections will return the military to its appropriate role in a civilian society.

Most recently, there was concern in Congress, and it continues, on the treatment of the ethnic Chinese population in Indonesia, particularly with the rapes that happened of the Indonesian Chinese women. Those are no longer alleged. They are admitted to in reports from the government, and many of us in Congress have written to the Indonesian government, to the President, urging that the disposition of that issue be central to our relationship with the Indonesians.

We have concerns generally about human rights in Indonesia and also about the conflicts between Muslims and Christians and how the government is dealing with that. Nothing could create a better climate for tolerance in the diverse country that Indonesia is than the legitimacy of a free and fair election.

We anticipate that with great hope. We urge the Indonesian government to do everything in its power to make sure the elections are free and fair, and we look forward to working on many issues, some of which I named here, with the newly-elected Indonesian government. That includes, of course, the members of parliament there, too.

It is a very diverse country, as I have said. There are many, many, many different fragments in Indonesia. The country could disintegrate but I think that that prospect would be diminished greatly if the elections were free and fair and the new government were legitimate and was addressing some of the concerns I mentioned in terms of respecting everyone in that diverse society, as well as respecting the appropriate role of the military in a civilian society.

Again, I commend the leadership of the committee, the gentleman from New York (Mr. GILMAN), and the gentleman from Nebraska (Mr. BEREUTER) on the subcommittee, my colleague, the gentleman from California (Mr. LANTOS), and the gentleman from Connecticut (Mr. GEJDENSON) for their leadership in bringing this to this floor and I hope we will have a unanimous vote in support of it.

□ 1345

Mr. LANTOS. Mr. Speaker, I appreciate the gentlewoman's observations.

We have no more requests for time.

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

I want to commend the gentleman from California (Mr. LANTOS) and the Members who have spoken on the floor today in support of this resolution. I thank the gentlewoman from California (Ms. PELOSI) for her remarks.

I want to commend the gentleman from Nebraska (Mr. BEREUTER), the distinguished chairman of our Subcommittee on Asia and the Pacific, for introducing this timely resolution that calls for free, fair and transparent elections in Indonesia, and I am proud to cosponsor this resolution.

H. Res. 32 appropriately calls for free and fair elections in Indonesia this June and supports the aspirations of the Indonesian people for democratic elections and greater political freedom.

Indonesia is a country in transition, and I believe it is incumbent upon our Nation, as a world-leading democracy, to provide the necessary support to the Indonesian government and hopeful people of that large country, to bring about credible elections, and we all recognize it is not going to be any small task.

I also want to commend American NGOs, such as IRI, NDI and IFES, and others, for the important work that they have been doing to try to bring about a democratic transition in the world's fourth most populous nation.

Finally, I would call upon all parties in Indonesia to refrain from political, ethnic or religious violence. I hope we can achieve an early, equitable and nonviolent resolution to the East Timor issue. I would advocate continued reform in political, economic and social arenas in Indonesia's society.

Indonesia is at a critical juncture in its history. Historic changes have already taken place since President Soeharto stepped down last year. It is our hope that we will soon welcome Indonesia into the family of democratic nations after free and fair elections that will be held there this summer. Accordingly, Mr. Speaker, I urge my colleagues to adopt this measure, H.R. 32, in support of reform and democracy in Indonesia.

Mr. KENNEDY. Mr. Speaker, I rise in strong support of H. Res. 32, and its goal of free and fair and transparent elections in Indonesia beginning with the parliamentary elections on June 7. I would like to point out however, that the resolution fails to mention the on-going and extreme occurrences of human rights abuses on the part of the Indonesian military in the areas of occupied East Timor and others. Violations of human rights continue and it is critical that these abuses are addressed as well as the need for a free and fair election.

Congress must continue to call on the U.S. administration and the Indonesian government directly for the implementation of the introduction of international monitors in East Timor, and disarming paramilitary units that the Indonesian military arming and supporting.

Last week, Secretary of State, Albright visited with Xanana Gusmao in Jakarta. At that time the Secretary said that "We see an urgent need to stabilize the situation through disarmament of all paramilitary forces, as Xanana Gusmao has proposed and General Wiranto supports,'' and that "We favor confidence-building measures, such as a reduction in the number of troops, and an international presence to reduce the prospects for future violence.'' It is critical that this Congress follow through on these statements, and assure that the East Timorese people are freed from Indonesian sponsored violence in addition to supporting free and fair elections.

Mr. WOLF. Mr. Speaker, I rise in strong support of this resolution. The presidential election scheduled for June is the first election for President since President Suharto stepped down last year. This is an opportunity for Indonesia to move into a new era of stability and prosperity.

Indonesia has been wracked by economic crisis. The international community wants to help the Indonesian people recover from their current economic difficulties. Indonesia has been, and should continue to be, an important regional ally for the United States. However, Indonesia's international reputation has been

tarnished by the Suharto government's brutal occupation of East Timor, the grave human rights abuses committed by the Indonesian military in East Timor and in Indonesia, its lack of respect for democracy and the corrupt cronyism that enabled the economy to grow but disenfranchised large portions of the population.

Thousands of brave Indonesians took the streets last year calling for an end to the Buharto regime and the beginning of truly democratic political system which allowed for multi-party participation. They were tired of President Suharto's administration and its corruption. They demanded free and fair elections. They deserve to have them. It is their right to have them.

This is an opportunity for Indonesia to follow the way of Taiwan, South Korea, and the Philippines, Asian countries who have successfully transformed themselves into pluralistic, multi-party democracies.

President Habibie has every incentive to make the June elections as free and as fair as international standards dictate. If he does so and continues to take steps to resolve the crisis in East Timor in a manner that respects the wishes and views of the people of East Timor, Indonesia's reputation will be enhanced and the international community will have great incentive to embrace the new government. There are many good benefits that can come from this—both for the Indonesian government and for the Indonesian people. The key is in the hands of the Habibie government. By the manner in which they conduct the June elections, they hold the key to the future stability and prosperity of Indonesia.

I commend Mr. BEREUTER and Mr. LANTOS for sponsoring this resolution. I urge my colleagues to support it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 32.

The question was taken.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

SENSE OF CONGRESS URGING CRITICISM OF PEOPLE'S REPUBLIC OF CHINA FOR HUMAN RIGHTS ABUSES IN CHINA AND TIBET AT ANNUAL MEETING OF UNITED NATIONS COMMISSION ON HUMAN RIGHTS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H.Con.Res. 28) expressing the sense of the Congress that the United States should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights, as amended.

The Clerk read as follows:

H. CON. RES. 28

Whereas the Government of the People's Republic of China has signed two important United Nations human rights treaties, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights;

Whereas the Government of the People's Republic of China recognizes the United Nations Universal Declaration of Human Rights, which calls for the protection of the rights of freedom of association, press, assembly, religion, and other fundamental rights and freedoms;

Whereas the Government of the People's Republic of China demonstrates a pattern of continuous, serious, and widespread violations of internationally recognized human rights standards, including violations of the rights described in the preceding clause and the following:

(1) restricting nongovernmental political and social organizations;

(2) cracking down on film directors, computer software developers, artists, and the press, including threats of life prison terms;

(3) sentencing poet and writer, Ma Zhe, to seven years in prison on charges of subversion for publishing an independent literary journal;

(4) sentencing three pro-democracy activists, Xu Wenli, Wang Youcai, and Qing Yongmin, to long prison sentences in December 1998 for the announced effort to organize an alternative political party committed to democracy and respect for human rights;

(5) sentencing Zhang Shanguang to prison for ten years for giving Radio Free Asia information about farmer protests in Hunan province;

(6) putting on trial businessman Lin Hai for providing e-mail addresses to a pro-democracy Internet magazine based in the United States;

(7) arresting, harassing, and torturing members of the religious community who worship outside of official Chinese churches;

(8) refusing the United Nations High Commissioner on Human Rights access to the Panchen Lama, Gendun Choekyí Nyima;

(9) continuing to engage in coercive family planning practices, including forced abortion and forced sterilization; and

(10) operating a system of prisons and other detention centers in which gross human rights violations, including torture, slave labor, and the commercial harvesting of human organs from executed prisoners, continue to occur;

Whereas repression in Tibet has increased steadily, resulting in heightened control on religious activity, a denunciation campaign against the Dalai Lama unprecedented since the Cultural Revolution, an increase in political arrests, the secret trial and sentencing of former Middlebury College Fulbright Scholar and Tibetan ethnomusicologist Ngawang Choephel to 18 years in prison on espionage charges, and suppression of peaceful protests, and the Government of the People's Republic of China refuses direct dialogue with the Dalai Lama or his representatives on a negotiated solution for Tibet;

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas during his July 1998 visit to the People's Republic of China, President Clinton correctly affirmed the necessity of addressing human rights in United States-China relations; and

Whereas the United States did not sponsor a resolution on China's human rights record at the 1998 session of the United Nations Commission on Human Rights: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States—

(1) should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights; and

(2) should immediately contact other governments to urge them to cosponsor and support such a resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

I want to thank the chairman and the ranking minority member of the Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and the Pacific for acting expeditiously on H. Con. Res. 28, a resolution expressing the sense of Congress that our Nation should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the next annual meeting of the United Nations Commission on Human Rights.

In a December 22, 1998 speech commemorating the 20th anniversary of the Third Plenary Session of the 11th Communist Party Central Committee, China's President and Party Secretary Jiang Zemin stated that China needed to ''nip those factors that undermine social stability in the bud, no matter where they come from.'' In that very same speech Jiang emphasized, ''the Western mode of political systems must never be copied.'' Soon after those remarks, arrests were made of key dissidents. To this very day, the crackdown on China's fledgling democracy movement continues.

The Democracy Wall movement in the late 1970s and the Hundred Flowers Campaign in the late 1950s were periods when citizens were first encouraged to express their beliefs, and then subsequently they were severely persecuted for their criticism of the Communist Party and their desire for democracy. Similarly, the period before President Clinton visited China in June also saw an easing of political repression by the authorities, though some of us were concerned that this was only a temporary change and that the government would, as it has, indeed, revert to form.

Some so-called China experts would have us believe that this is a cyclical historical process. But having seen it done so many times, it appears to us to be a method to flush out dissidents and to be able to preserve power.

In the last 8 months, the Communist government in China has carried out the most symptomatic crackdown on democracy activists since the Tiananmen Square massacre of 1989. Scores of democracy activists have been arrested, hundreds more have been detained, and three leaders, Xu Wenli, Wang Youcai and Qin Yongmin have been sentenced to long prison terms.

I ask, is the administration certain that it still wants a strategic partnership with such a government?

In December, our Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China released their report stating that China has been stealing weapons designs from American nuclear laboratories and obtaining sensitive computer missile and satellite technologies. A select committee confirmed Pentagon and State Department findings that two American companies not only helped the Chinese space industry, but also may have helped improve the reliability of China's missiles. Yet, every year, billions of dollars of more goods from Chinese sweatshops and from their labor camps come into our Nation adding to our growing trade deficit with China.

In a few months, flush with foreign currency reserves, the PLA, the Chinese military organization, will be receiving SS–N–22 Sunburn missiles that they bought from Russia. Those missiles are designed to destroy our most sophisticated naval ships. If in the future China blockades democratic Taiwan, I ask how effective will our Seventh Fleet be? We question what the administration has done to prevent the Chinese from obtaining such deadly missiles.

We have now learned that Beijing stole nuclear weapon technology from our labs. The New York Times reported that the administration knew that this was going on since 1997. Last weekend in Beijing, Secretary Albright met with the Chinese leaders, and we were pleased that she raised the issue of the ongoing crackdown of the democracy movement there and in occupied Tibet. Regrettably, years of words not backed up by any action has gone on much too long, through too many administrations, and has permitted our Nation's security and our economy to be weakened and our moral stand to be questioned.

If the administration seriously supports a resolution in Geneva, as H. Con. Res. 28 recommends, then it would give some help to those brave Chinese and Tibetan democracy advocates who are struggling against the brutal dictatorship in Beijing, and it would give the American people some hope that perhaps this administration has started to reformulate a China policy that we feel has been misguided and has been a disaster.

Accordingly, I urge my colleagues to support H. Con. Res. 28.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume and I rise in strong support of this resolution.

Mr. Speaker, I listened to the distinguished chairman of the Committee on International Relations, and there are many observations that he made with which I agree. He has been an effective champion of human rights in China, and I pay tribute to him for his human rights efforts as they relate to China and other countries.

But I need to correct the historical record as it comes to administration policy. As one who has opposed administration policy with respect to China under both Republican and Democratic administrations because I believe they both have been ill-advised, as the most recent spying episode so dramatically underscores, it is important to keep the record straight and to keep the bipartisan voice of Congress honest.

Our Republican colleagues are in no position to be surprised that China has been spying on the United States. That spying has been going on during the last many years. It did not originate last year or the year before, and the previous 2 Republican administrations bear their full share of the responsibility as we now see the chickens coming home to roost.

So the historical record must be made clear. China's human rights record is abominable. We have spent untold hours in committee and on this floor denouncing China's human rights record, ranging from forced abortion to the restriction of the right of individuals to practice their religion, from the lack of press freedom to the lack of political freedom, and recent developments in China clearly indicate that the human rights condition has deteriorated in recent months. It is now reaching a new low. There is not much dispute on this floor about the abominable human rights record of China.

What this resolution calls for is for our administration to introduce and support at Geneva at the United Nations Human Rights Commission meeting a powerful resolution denouncing China's human rights record, and to lobby and lead the way so we will have enough friends and allies in that organization so that our resolution will, in fact, prevail. I think it is important for this administration to understand that the other body passed a similar resolution urging the administration to denounce China's human rights policy in Geneva by a vote of 99-to-nothing.

When this debate is over, I will ask for a recorded vote in this body, and I suspect we will have a similar overwhelming vote calling on our administration to introduce and to lead the fight to denounce China's human rights record.

□ 1400

We speak powerfully when we speak on a bipartisan basis. I am critical of our administration for not having introduced this resolution at last year's meeting, and I expect my Republican colleagues to be equally critical of previous Republican administrations for their attempt to sweep China's abominable human rights policy under the rug.

Human rights transcend parties and differences. We should be demanding human rights for the people of China, and we should demand, whether we have a Republican or a Democrat in the White House, that the United States stand up for our own principles.

I call on all of my colleagues to join me in urging our State Department to introduce and to lead to a successful vote a resolution denouncing China and China's abominable human rights policies.

Mr. Speaker, I am pleased to yield such time as she may consume to my friend and neighbor, the gentlewoman from San Francisco, California (Ms. PELOSI) someone who has been a leader in the fight for human rights in China.

Ms. PELOSI. Mr. Speaker, I thank our colleague for yielding time to me. I again applaud him for his great leadership on human rights throughout the world. I associate myself with the remarks in his statement, both in support of human rights and in clarifying the record about the bipartisan nature of the security issues that were raised by the gentleman from New York (Mr. GILMAN).

I also want to salute the gentleman from New York (Mr. GILMAN), the distinguished chairman of the committee. He has been a champion on human rights throughout the world. He has worked tirelessly for human rights in China and Tibet, and he has been an articulate voice that should be a comfort for all of those who fight for freedom throughout the world.

Mr. Speaker, this is a particularly significant year for us, the U.S., to take the lead on the U.N. resolution in Geneva. It has been 40 years since the Dalai Lama fled Tibet. It has been 20 years since the democracy wall repression in China, where those who dared speak out for freedom in 1979 were arrested for very long prison terms.

It has been, can we believe it, Mr. Speaker, 10 years since the tragedy of Tiananmen Square, since the massacre of those young people who dared to take as their symbol our statute of liberty, and as their clarion call the words of our Founding Fathers.

So it behooves the United States of America in this particularly significant anniversary year that commemorates serious repression in China and Tibet to take the lead, as our colleague, the gentleman from California (Mr. LANTOS) said, not only to introduce a resolution but to urge other countries to support it, too.

In the absence of our leadership brave Denmark, in which the United States is so ably represented by the son-in-law of the gentleman from California (Mr. LANTOS) and his family as our distinguished ambassadors there, brave Denmark introduced the resolution.

China's response? China said this resolution, at the U.N. commission, will be the rock which smashes Denmark's head. How distinguished of them to frame it in that way. But let us show the bravery of Denmark. It is the very least, I think, that we can do.

Some of our allies, the Brits, for example, said they were not going to introduce the resolution because they were going to give China this year to demonstrate an improvement in human rights, and then make an evaluation this year. Well, what did they see in that year but increased repression?

Sure, there was a show when President Clinton went to China, and there was just enough done on both sides for domestic consumption, both in China and in the United States. But the fact is, and as the record shows, it was not real.

I have been an ardent supporter of human rights in China, and foe of the failed policy of both the Republican and the Democratic administrations. The irony of it all is that we are diminishing our voice in human rights for trade purposes, and ha, ha, ha, the Chinese regime has the last laugh there, because they have refused to open their markets to our products.

Our reward for ignoring their human rights violations and their repression is a $60 billion trade deficit with China; $60 billion for the Chinese regime to buy more weapons for their military and more money to consolidate their position in power, and to continue to repress those who speak out for democratic reforms, the same democratic reforms, by the way, which they, in theory, signed up to support when they signed the U.N. Technician resolution, which they have not ratified and which they have not implemented.

Mr. Speaker, what is it that will happen if this resolution passes? If this resolution passes on the Floor, we will be giving the Clinton administration the leverage that they need, the leverage that they need to go in to the U.N. Commission and say, the Congress of the United States, speaking for the people of the United States, wants us not to ignore the human rights violations in China any longer.

If we win, and if we are serious about our leadership there we will win, because our failure will be indicative of our lack of enthusiasm there, and we have to get moving soon, but if we win there, it will make a serious difference to the pro-democratic reforms in China. We lose all moral authority to talk about human rights anyplace in the world if we refuse to speak up on it in a place because there are some trade deals involved. Our ideals and our deals are important. We cannot ignore our ideals.

So let us hope that when the President and the administration boast of having a consensus for their trade policy with China, which they do boast, that they will now also recognize the vote in Congress; as the gentleman from California (Mr. LANTOS) indicated, 99 to nothing in the Senate, and congratulations to them in the other body, and hopefully we will have a unanimous vote in this House of Representatives. When we do, we will be sending a very clear message to the Chinese regime that we know what is going on there.

My colleague, the gentleman from New York (Mr. GILMAN) very generously named many of the prisoners there. They say, Mr. Speaker, the most excruciating form of torture to a prisoner of conscience is to tell him or her that nobody in the world knows that they are there or cares that they are there.

Today this Congress has the opportunity to say, we know you are there, we salute your fight for freedom, we want to associate ourselves with your aspirations, we want to live up to the legacy of our Founding Fathers, and we are not going to be a prisoner, ourselves, of any trade relationship; one, of course, that does not even advantage us. Because what would it profit a country if it gained the whole world in terms of money, but suffered the loss of its soul?

Today we have an opportunity, because of the leadership of the gentleman from California (Mr. LANTOS), the gentleman from New York (Mr. GILMAN), the gentleman from Nebraska (Mr. BEREUTER), and the gentleman from Connecticut (Mr. GEJDENSON) to make our message a very clear one, and urge the administration, in the strongest possible vote, to support and take the lead on the resolution in Geneva.

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

Mr. Speaker, I want to first thank the gentlewoman from California for her supporting remarks. As the gentleman from California (Mr. LANTOS) indicated earlier, she has been a long-term fighter for human rights around the world, and particularly in China. We are grateful for her strong advocacy of this measure.

Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. ROHRABACHER), a member of our committee.

Mr. ROHRABACHER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 28. This resolution is right on a number of counts. It is right philosophically, it is right practically, it is right in terms of trying to get the American people to think about the defense and technology policies that bind us to the People's Republic of China.

First of all, in terms of the principle of House Concurrent Resolution 28, the principle is that we are asking the United States, and I commend the chairman, the gentleman from New York (Mr. GILMAN) for the strong leadership he has always had, and my good friends on the other side of the aisle, the gentleman from California (Mr. LANTOS), the gentleman from Vermont (Mr. SANDERS), the gentlewoman from California (Ms. PELOSI) and others who have long fought the battle that human rights and democracy should mean more to the people of the United States than just platitudes on the Fourth of July.

The fact is that human rights and democracy are the foundation of what makes us, as Americans, different from people elsewhere in the world. The United States of America, unlike other countries, is not composed of a single religion or a single culture or a single ethnic group. We are people who are made up of various races and various religions. The one thing that binds us together is a love of liberty and justice, and a sense of human decency and honor that is not found as the basis of other societies.

This is the glue that ties together the United States of America. When that glue is in some way loosened, or in some way becomes unaffixed, it is a threat, it is a dire threat, not only to ourselves but to people around the world that depend so dearly on the commitment of our country to the founding principles.

In fact, the United States of America, without our commitment to human freedom and democracy, there is no freedom and democracy anywhere in the world that is not threatened by our own lack of commitment.

Today this resolution underscores that. It insists that even though in other countries, for pragmatic reasons, they may be afraid of what is going on in China, afraid to make the Communist Chinese regime in Beijing mad at them, they are not willing to vocalize those concerns about human rights abuses that are going on in the mainland of China, this resolution insists that the United States take the principled stand in these international bodies and officially oppose the degeneration of the human rights situation in Communist China.

I know it has already been stated, but on February 26 the State Department issued its human rights report and found that over the last year, in terms of human rights, China's record has ''sharply deteriorated.'' This is unfortunate, because the policies of the United States have not kept pace with the deterioration of human rights that is going on in China. At least this resolution will put us, in principle, where we should be in terms of this vital issue.

There is a symmetry in this world. If we are not right on the issues of human rights and democracy, if we base our principles on something other than those principles that George Washington and Thomas Jefferson laid out, no matter how imperfect we were in those days, and how we have struggled to overcome our imperfections over these many decades and into this century, those principles hold firm, and trying to use those principles as a guiding light has served our country well, and has served the world well.

One note. If it was not for the commitment of the people of the United States to democracy and freedom, the Nazis and the Japanese militarists would undoubtedly dominate this planet at this time. Undoubtedly the millions of people who died under the genocide of the Nazis, there would be millions more people who would have died under the genocide of communists and Nazis and other dictatorships.

So it was our commitment, it was the Saving Private Ryan generation, that not only saved Private Ryan but saved the world and provided us, provided us with a message. It is now our job. They have done their duty. We must do ours. So this goes a long way in establishing that principle.

But there are practical issues when we set this principle down. Although this is not dealt with specifically in this resolution, I will mention them only in passing. We must, when setting down this principle, that human rights counts, democracy counts, and that if a country is the world's worst human rights abuser and is expanding its military power, that that is a concern for us; that we must then look at our policies and say, is it indeed right that we treat the People's Republic of China, the world's worst human rights abuser, in the same way that we treat Belgium or Italy or other democratic countries?

This is a national debate that we need to have. We need to know what we should do in situations like this. Congress does not have all the answers, but we do know that in the last 10 years, as the human rights situation in China has continued to decline, as there has been more and more repression, as there has been genocide, genocide in Tibet and murders in the Muslim areas in the far reaches of China, as well as the repression of people of religion in China, we have not changed our trade policies or some of our other policies to deal with this.

We condemn those policies or actions today, but we need to have a discussion, an honest and open discussion of what our trade policies should be. As it is, our trade policy has provided the Communist Chinese regime with billions of dollars worth of surplus which they are using to upgrade their military capabilities and to increase the control over their own people.

By the way, this trade policy is done at the expense of our own people. Quite often we are subsidizing the investment of manufacturing units in China which are then used to manufacture goods to put our own people out of work. This may be a policy that we might not want to have with a democratic country; but to a dictatorship, for a country that is the world's worst human rights abuser, to a country that is expanding its military power, I do not think so.

□ 1415

Finally, we have to confront the issue as has become more evident this weekend when, finally, word leaked out about the technology transfers, the awesome technology transfers that have taken place over these last few decades.

The Communist Chinese, not only have been able to obtain military technology, sophisticated military technology, but they have obtained technology that will permit them to produce weapons of mass destruction that put in jeopardy the lives of millions of Americans.

Then we hear about American companies trying to keep down the cost of putting in satellites by increasing the reliability and the efficiency of Communist Chinese rockets to deliver those very same weapons of mass destruction possibly to the United States if we are ever in a confrontation.

These are items that can no longer be ignored. These are things that should be on our agenda to discuss as a free and democratic people, a people of goodwill on both sides of the aisle.

Today we express our concern for the principle, for the underlying principle of human rights and democracy. We express this to reconfirm our commitment to what George Washington and Thomas Jefferson and our Founding Fathers talked about. But we should also reaffirm it as the foundation of practical policy.

So today, as I rise in support of H. Con. Res. 28, I would also call on my colleagues to begin a debate, a sincere debate on how this positive stand for human rights should be interpreted in our trade and technology and defense policies that guide our country.

I thank the gentleman from New York (Chairman GILMAN) and for the leadership he has provided, the leadership that the gentleman from California (Mr. LANTOS) has provided on human rights throughout the years.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 3 minutes the gentlewoman from Texas (Ms. JACKSON-LEE), my friend and colleague.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to associate my words with those stated by the gentleman from New York (Chairman GILMAN) and the gentlewoman from California (Ms. PELOSI), and the gentleman from California (Mr. LANTOS), the ranking member. Let me acknowledge again the very dedicated, committed, and consistent voice that the gentleman from California (Mr. LANTOS) has been on this issue.

Mr. Speaker, I rise today with a little repentance and a question as well, because I think, if the American people understand why we are here on the floor of the House, there may be a wave of support for having this resolution under our name in the United Nations, this resolution to condemn the human rights abuses in China.

I say that because, as the weekend approaches, whether it is Friday evening, whether, for Muslims, it is throughout the week at different times, whether it is a Sabbath Saturday or a Sabbath Sunday, we are unfettered by our ability to worship our God or our beliefs or express those beliefs.

If there are those that would interfere with religious beliefs, we can be assured that we have access to grievance and to a response. How would we like to have a country, a Nation that we live in that continues to turn up its nose on the issue of mere, simple and obvious rights for their people?

China has continued to do this in a very arrogant manner, to the extent that when Denmark offered to have this resolution presented to denounce their human rights, they indicated that they would be crushed.

Where are our principles? Yes, I believe in trade. In fact, I have been convinced on one or two occasions that China should be constructively engaged. So my repentance is such that I have offered them an olive branch. I have said, ''If we engage with you, will you understand that Tiananmen Square meant something to Americans, that the Dalai Lama means something to Americans? The Dalai Lama means something to us. The people of Tibet need to be able to respect and acknowledge their leader. Forced abortions mean something to us.''

So I think it is more than appropriate for a nation who has, time after time, received from Republican administrations and Democratic administrations the push for Most Favored Nation, of which it seems that we have not benefited. My own city of Houston has just recently returned officials from a trade mission because we are looking to engage.

Now I believe, Mr. Speaker, is the time that we follow the other body and unanimously engage with China and have this motion before the United Nations, using every ounce of strength that the United States has. We will not tolerate the human rights abuse. We will stand up and be counted for all of the tragedies and the incarcerated persons and the elimination of religious freedom. Now is the time.

Let me say on the floor of the House, I have repented. It is a time now to address the question of human rights abuse for China to hear us loudly and clearly before we go one step of the way.

Mr. Speaker, I rise in support of House Resolution 28, which urges the introduction and passage of a resolution on the human rights situation in the People's Republic of China at the United Nations Commission on Human Rights.

I know that physically the United States can do very little to relieve the suffering of people in other nations at the hands of their own governments. However, we as members of this representative body on the behalf of the American people and those without voices can advocate our concerns regarding human rights policies which are inconsistent with our own interest and values.

In its annual report on human rights, the State Department stated that the human rights

situation in China has continued to ''deteriorate sharply.'' The government in Beijing continues to commit ''widespread and well documented human rights abuses.''

Despite China's recognition and signature on two United Nations human rights treaties, China's government continues to commit widespread violations of internationally recognized standards. These violations include torturing prisoners, forcing confessions, restricting nongovernmental political and social organizations, and restricting the press.

The Chinese government has continued its repression of religious freedom outside of the official Chinese church. This religious crackdown has manifested itself in Tibet, with the continued denunciation of the Dalai Lama. Tibet continues to see an increase in the number of political arrests and the Chinese suppression of peaceful protests.

With these human rights abuses in mind this body must and should encourage the Administration to support and make all efforts necessary to pass a resolution at the annual meeting of the United Nations Commission on Human Rights criticizing the People's Republic of China for its human rights abuses in China and Tibet.

In the past the Government of China has made some modest improvements in human rights just before the annual Human Rights Commission consideration of a China resolution. For example, we know that conditions for political prisoners improve when the resolution is being debated and they deteriorate when the resolve of the United States weakens.

China in the past has shown a willingness to respond to the concerns of the United States regarding human rights, and I believe that this resolution will prompt the attention of the Chinese government.

The Senate has already signaled its frustration and displeasure with the Chinese government's human rights record by passing a similar resolution to the one now being debated by a unanimous vote. Therefore, Mr. Speaker, I strongly encourage my colleagues to support House Concurrent Resolution 28.

Mr. LANTOS. Mr. Speaker, I want to thank the gentlewoman from Texas (Ms. JACKSON-LEE) for her very powerful and eloquent statement.

Mr. Speaker, I am delighted to yield as much time as he might consume to the gentleman from Vermont (Mr. SANDERS), my friend, who has been a champion of all human rights causes globally and will now speak on the issue of China.

Mr. SANDERS. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) very much for yielding me this time, and I appreciate the fact that he is perhaps the conscience of this Congress in terms of human rights. We thank him very much for his work, and we applaud the gentleman from New York (Mr. GILMAN) for his leadership as well.

Mr. Speaker, I rise in strong support of this resolution which addresses the horrendous record that China has on human rights, both within their own borders and within Tibet as well.

Under the 50 years of the Chinese occupation, the Tibetan people have been denied most rights guaranteed in the universal declaration of human rights, including the rights to self-determination, freedom of speech, assembly, movement, expression, and travel.

In the 20 years after the 1959 Tibetan uprising, 1.2 million or 20 percent of Tibet's population was killed. Today the Chinese are further undermining Tibet with a massive influx of ethnic Chinese into Tibet. In some areas, Chinese outnumber Tibetans by two or three to one. With this influx, the Chinese are controlling the cultural, economic, and religious life as well as the political and military structure in Tibet.

Religious repression is one of the cruelest aspects of the Chinese regime in Tibet. Over 6,000 monasteries and sacred places have been destroyed by the Chinese who are making a concerted effort to wipe Tibetan Buddhism off the face of the Earth.

Interestingly, and one of the reasons I became involved in this issue, is that the horrendous human rights record in China struck home to the people of the State of Vermont, and specifically the people of Middlebury College Community when the Fulbright scholar and former Middlebury College student Ngawang Choephel was seized by the Chinese authorities in 1995 for the crime of doing videotaping in Tibet.

He was charged for this horrendous crime of using a videotape to record the culture of Tibet. He was charged with espionage, and the result is that he was tried in secret. No evidence has ever been made public to support the charges of espionage, which most of us think is absolute nonsense.

Ngawang Choephel was sentenced to 18 years in jail for videotaping cultural activities in Tibet. His frail elderly mother, Sonam Dekyi, who I had the privilege of meeting in Middlebury, Vermont, is spending all of her energy, not only trying to get her son out of jail, but trying to visit him, to see what is going on, and she has up to this point not been successful.

In July of last year, Ngawang Choephel was transferred to Puatromo Prison, which is a high security facility in a remote isolated area. Unlike other prisons, inmates are denied visitation rights. This is a brutal treatment for an innocent young man. Yet it is treatment of Tibetans, and worse occurs regularly under the Communist Chinese rule.

My friend, the gentleman from New Jersey (Mr. SMITH), chairman of the Subcommittee on International Operations and Human Rights, recognizes the plight of Ngawang Choephel and was kind enough to insert an amendment into the resolution specifically citing Choephel's unjust imprisonment as an example of China's violation of basic human rights.

I thank the gentleman from New Jersey (Mr. SMITH) as well as the gentlewoman from Georgia (Ms. MCKINNEY) who is the ranking member, for their attention to the plight of this young man. I would also like to thank the committee chairman, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) the ranking member, for their commitment for human rights and for bringing this resolution forward.

I would simply conclude, Mr. Speaker, by saying that, as the gentleman from California (Mr. ROHRABACHER) mentioned a moment ago, I think, as important as this action is, we have got to go further and ask ourselves why we continue to provide Most Favored Nation status to China, why we continue to sit back while major corporation after major corporation throws American workers out on the street, runs to China where people are paid 20 cents and hour and have no basic democratic rights.

So I think that whole issue of trade and responsibility of an element of corporate America to perpetuate and strengthen the regime in Peking has got to be addressed as well.

Mr. LANTOS. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from California (Mr. LANTOS) has 30 seconds.

Without objection, the gentleman from New Jersey (Mr. SMITH) will control the time allotted to the gentleman from New York (Mr. GILMAN).

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. SMITH) has 4½ minutes remaining.

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that we have 6 additional minutes equally divided between us.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I am delighted to yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), one of the most effective and successful champions of human rights in this body.

Mr. HOYER. Mr. Speaker, I thank my very good friend, the gentleman from California (Mr. LANTOS) for yielding me this time. I want to thank also the gentleman from New Jersey (Chairman SMITH) for his graciously asking for additional time.

Mr. Speaker, I rise in support of H. Con. Res. 28 and urge my colleagues to do the same. We must make it clear to the government of China that it will not be business as usual with the United States if they continue to abuse their own citizens. Some of us frankly have been voting that way consistently on MFN.

The government of China rhetorically recognizes the universal declaration of human rights and, indeed, its own constitution and laws provide for fundamental rights. That is, of course, on paper. Obviously, and tragically, these laws are honored more in the breach than in the practice. In fact, according to the recently released State

Department Country Report on Human Rights Practices in China, the situation has substantially deteriorated since President Clinton's visit in July of last year.

Beginning in the fall, dozens of political activists were arrested for attempts to register a political party and engage in other political activities which we believe to be fundamental to the rights of individuals.

Over 30 members and supporters of the China Democracy Party were detained, and three of its leaders were sentenced to lengthy jail terms in closed trials that flagrantly violated due process.

The State Department report also reveals that the government of China continues to commit widespread and well-documented human rights abuses, including extrajudicial killings, torture, and mistreatment of prisoners, forced concessions, and arbitrary arrests and detention.

At a minimum, Mr. Speaker, our government should take the steps called for by H. Con. Res. 28 and formally rebuke the government of China before the United Nations Commission on Human Rights.

Mr. Speaker, the Statute of Liberty stands at the gateway of America and says, ''Give me your tired, your poor, your huddled masses yearning to breath free, the wretched refuse of your teeming shores, send these, the homeless, tempest-tossed, to me.'' Millions have come seeking freedom, seeking justice, seeking fundamental human rights.

□ 1430

Mr. Speaker, we know that America cannot take all of the homeless, all of those tossed by tempest within our borders. But what we can do, and what we must do, as the leader not just of the free world but as the leader of the world committed fundamentally to human rights, we need to speak up, speak out, and act upon our principles, and make it clear to the rest of the world that we will not do business as usual with those who undermine human rights in this world.

Mr. Speaker, I thank the gentleman for yielding me this time, and I urge strong support of this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Speaker, I am very proud to be a cosponsor of H. Con. Res. 28, the Gilman-Gephardt resolution which urges the United States to sponsor a human rights resolution regarding Chinese violations at the U.N. Human Rights Commission in Geneva and, equally important, to work vigorously for the resolution, not just to introduce it, but to work very hard with other member states to secure its passage.

Mr. Speaker, on January 8, the Committee on International Relations held a hearing on the ongoing and very deplorable state of human rights in China today. Each of our witnesses was a prisoner of conscience who had recently managed to get out of China. All of them called for the United States to be far more forceful in responding to the human rights violations in China than we had been in recent years. The following week we heard from human rights organizations, and each and every one of them agreed that our policy of constructive engagement has been a failure.

I would remind my colleagues that last year, and the year before, and the year before that, and even when the gentleman from California (Mr. LANTOS) was chairman of the subcommittee that I now chair, we held hearing after hearing—matter of fact, in the last 4 years alone, about a dozen hearings—on the deplorable state of human rights in China. We heard from Harry Wu, that great leader who spent years in the laogai, who got out and actually went back to try to bear witness to the ongoing oppression that comes the way of religious and political prisoners in China.

We heard from Wei Jingsheng, and many other political prisoners, who had been tortured, who had suffered unspeakable atrocities, both psychological and physical. And they said that we need to know the true nature of this regime; that it is oppressive.

We have heard about Tibet, and we heard from the representatives of the Dalai Lama. Richard Gere came to one of our hearings on refugees and spoke very eloquently about how the Buddist nuns and priests are routinely tortured.

I will never forget when we heard from survivors of the laogai, the gulag system. Six of them came before us: Catherine Ho, Palden Gyatso, and many others. Palden Gyatso, a Buddhist monk, came in with some of the implements routinely used to torture people. He could not even get through security downstairs in the Rayburn Building. We had to escort him through. And he told of the agony that is routinely visited upon these individuals.

We heard from Mrs. Gao, a woman who used to run a forced abortion, forced sterilization program in Fujian Province. She got out, with the assistance of Harry WU, and she told story after story about how women as late as in the ninth month of their pregnancy would be forcibly aborted.

We heard from women who had escaped on the Golden Venture at another hearing, and how one woman, when 6 months into her pregnancy, was forcibly aborted by the dictatorship, to comply with the one child per couple policy.

We heard from another woman who found a baby girl who had been abandoned, because very often girls are abandoned in China, when couples are only allowed one child. She scooped up that child, like the good samaritan that she was, only to have the family planning cadres come knocking at her door to say that now that she had her one child, she must be forcibly aborted and she needed to be sterilized.

These are the every day realities of what goes on in the People's Republic of China: Religious persecution of the house church movement and the Catholic church. All of them suffer unbelievable cruelty at the hands of the Chinese dictatorship.

Amnesty International recently issued a report card, and they made it known at our hearing on China. They listed a number of concrete benchmarks and said let us look at these areas and determine whether or not constructive engagement has indeed borne any fruit. In each one of those categories, they found total failure.

For example, they spoke of the release of the Tiananmen Square prisoners and other prisoners of conscience. Their verdict: Total failure.

Review all counterrevolutionary prison terms. Bottom line, total failure.

Allow religious freedom. Their bottom line: Continued strong repression.

Prevent coercive family planning and the harvesting of organs: They said, no improvement.

Amnesty then went on to speak of the implementation of the so-called the Covenant on Civil and Political Rights, which the Chinese government milked for all it was worth. They have not even implemented it yet, as we all know. They signed it and got all these accolades in the west, including the United States, with perhaps no intention of following through on the rights that were enumerated in there.

Let us be mindful of this flimflam game they play. They sign a scrap of paper here, an important treaty there, and then they do not follow through, and there is no implementation.

Also, Amnesty International raised the issue of police and prison brutality. We know—and the Country Reports on Human Rights Practices clearly documents this, as do report after report from the human rights community—that torture is routinely used against dissidents and prisoners of conscience and religious individuals. Routinely.

Mr. Speaker, the resolution that is before us today urges the administration to do the very least it can do to try to rectify this egregious situation. Indeed, in 1994, when President Clinton delinked human rights from Most Favored Nation status for China, an annual resolution at Geneva was going to be, by his own reckoning, the centerpiece of what he would do to try to thwart the human rights violations in that country.

As of today, the administration apparently still has not decided whether or not it will proceed with a resolution this year. The Human Rights Commission begins on March 22. And as we all know, the other body has already gone on record unanimously—my hope is we will as well—saying bring this resolution to Geneva, let us vote on it and, hopefully, let us prevail.

Mr. Speaker, the Subcommittee on International Operations and Human Rights of the Committee on International Relations, which I chair, did add the amendment of the gentleman from Vermont (Mr. SANDERS), at his request. And let me say there are many others that could be added as well. But that just underscores the extent of the Chinese government's barbaric behavior.

Last week, for example, 10 Uighur political and religious prisoners were executed. We have heard from people who have talked about the Uighur minority and how they are discriminated against. Everywhere we look, the Tibetans, the Han Chinese themselves, and the Uighurs are all singled out whenever they have a different religion, because, obviously, China is an atheistic state, and those believers do not conform to the very, very carefully circumscribed limits of the officially recognized churches. Step across that line, and the full weight of the Chinese dictatorship will be brought to bear against you.

Just so all Americans understand, one individual was given an 11-year prison sentence for giving an interview, an interview, to Radio Free Asia. He talked to the press. And for that he was yanked by the dictatorship, by their cronies, and thrown into prison. He is now serving an 11 year prison sentence.

This barbaric behavior has to stop. The minimum we should do is to try to raise the issue rhetorically at the U.N. Human Rights Convention. Not to do that would be an outrage. I hope the Clinton administration will hear us, and I urge support for this resolution.

Mr. WOLF. Mr. Speaker, I rise in strong support of H. Con. Res. 28, a resolution urging the United States to cosponsor a resolution condemning China's human rights record at the United Nations Commission on Human Rights. I commend Chairman GILMAN for introducing this resolution and moving it through the committee so quickly. A similar resolution passed the Senate by a vote of 99–0. That should set an example for this body. I hope H. Con. Res. 28 will pass the House unanimously today.

The United Nations Human Rights Commission is the forum within the United Nations system established for the express purpose of examining and voicing concern about the human rights practices of member countries. Its resolutions are not binding in any way, but they do have the effect of raising awareness and holding countries accountable to their international human rights commitments. China, as a member of the United Nations, has agreed to the Universal Declaration on Human Rights. It has also signed the International Covenant on Civil and Political Rights, a treaty-like document which obliges it to uphold certain basic freedoms of its citizens. Among these are the freedom from arbitrary arrest and detention; freedom of thought, conscience and religion; freedom from torture; freedom of expression; freedom of peaceful assembly, and the right to fair and speedy trial.

It agreed to sign this covenant last year at this time and doing so enabled China to avoid criticism at the 1998 Commission. The Clinton administration cited China's willingness to sign the International Covenant on Civil and Political Rights as the reason why it did not go forward with a resolution in 1998.

Mr. Speaker, this year there is no excuse. China's human rights record is as bad as ever.

Since July 1998, the Chinese government has arrested over 100 prominent democracy activists, giving many long prison sentences in unfair trials. Their crime was expressing their views—acting on their conscience. An intense crackdown earlier this year coincided with the start of talks between U.S. and Chinese officials in a so-called—and much touted—''human rights dialogue.'' The crackdown was a message—we are willing to talk about human rights but we know we don't have to take any action. Thousands of political prisoners remain in jail.

Religious believers in China have continued to suffer persecution. Catholic bishops and priests continue to be jailed and tortured. The Vatican reported earlier this year that Chinese authorities tortured a 31-year-old priest by subjecting him to physical and psychological pressure. They brought in prostitutes to tempt him and then video-taped his ordeal as a way to break his spirit.

Protestant house church leaders are on the run, fearful for their lives and freedom. Reports indicate that almost all the leaders of China's largest house churches—the name given to the vast network of underground churches—are forced to move from place to place to avoid arrest.

Though persecution of house churches varies from region to region, it is Chinese government policy to crack down on China's underground churches. A number of documents smuggled out of China in recent years have revealed the local communist party's plans to eradicate the underground church. For example, such a document revealed last year that in July 1998, municipal authorities in Hua Shen complained to their superiors about the activities of an ''illegal missionary'' whose preaching has begun to attract more and more followers. ''He has been arrested and educated many times, and yet his heart has not died and his nature has not changed'' party officials report. His religious gatherings draw people from neighboring towns—sometimes as many as 1,000 at a time—and has ''become the largest illegal religious group * * * It has created an interference effect,'' the report says. It calls on all local municipal units to coordinate their activities in order to ''effectively crack down illegal religious activities and create favorable conditions for the stability and development of our town.''

That is not religious freedom, Mr. Speaker. This is religious persecution.

In Tibet where the Buddhist religion is a deep part of the culture, the communist party has begun a campaign to encourage Tibetan Buddhists to become atheists. This is only the latest anti-religion campaign waged by the PRC against the Tibetan Buddhists.

The Chinese Government has closed monasteries and nunneries and expelled monks and nuns. Since 1996, some 9,977 monks and nuns have been expelled from their monasteries—7,000 in 1998 alone. A reported 492 monks and nuns have been arrested since May, 1996—135 in 1998. Of these, 13 died in prison from torture. Many others were released just before they died. Torture is rampant in Tibetan prisons. Hundreds of Tibetans continue to flee across the treacherous Himalayan Mountains to reach freedom in Nepal and India. Some even send their children—fearing there is no future left for them in Tibet.

Amnesty International reported that a group of young Uighurs were sentenced to death recently on political charges. Uighurs are Muslim people living in the Northwest province of Xinjiang. They have reported severe persecution, the closing of mosques, and overall discrimination against their population by the Chinese Government. It has also been reported that Chinese nuclear weapons are tested in areas populated by Uighurs—leading to birth defects and other problems.

But, Mr. Speaker, despite all these facts, the Clinton administration sits on their hands when it comes to exerting multi-lateral diplomatic effort to end China's human rights abuses. We dilly-dally and postpone our decision about sponsoring a resolution at the U.N. Human Rights Commission, making it almost inevitable that any such resolution will be defeated.

China is not sitting on its hands. It is probably already lobbying its friends hard against such a resolution. Human Rights Watch documented China's efforts to defeat a resolution in 1997—by dangling millions of dollars worth of contracts in front of governments willing to vote with them.

But the Clinton administration is not even willing to exert diplomatic leadership to generate support for a resolution of condemnation.

This is not leadership and it does illustrate a commitment to human rights on the part of U.S. Government.

We talk tough, then appease the PRC. We look the other way while China steals American technology to enhance its military capability and then appease the PRC by giving Chinese leaders state and high-level visits to the United States. We say we care about human rights, but we don't use multi-lateral frameworks to advance them.

Our policy is a failure.

I hope my colleagues will support H. Con. Res. 28 and I hope the administration will not let China off the hook in Geneva.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of H. Con. Res. 28, expressing the sense of the Congress that the United States should introduce and seek to secure passage of a resolution criticizing Chinese human rights abuses at the annual meeting of the United Nations Commission on Human Rights.

There is no question that the recent actions by the Chinese authorities to criminalize the activities of individuals seeking to organize a new political party are in direct contradiction to China's stated commitment to the Universal Declaration of Human Rights and its signature last year of the International Covenant on Civil and Political Rights. The prosecution of some Chinese citizens for their contacts with foreign individuals and their alleged passing of ''state secrets'' in some instances also appear to be serious breaches of China's obligation to respect universally recognized human rights standards. Such efforts to control freedom of expression are deeply disturbing, and reflect a government that is unsure about its legitimacy.

Mr. Speaker, China's internal situation clearly remains a complex mixture of positive and negative developments. The resolution correctly refers to other areas of ongoing concern

with respect to China's human rights performance, including family planning practices, the situation in Tibet, freedom of religion and the penal system. At the same time, this Member believes it is important not to lose sight of some of the progress being achieved, for example, in the area of multi-candidate elections at the village level in certain regions and in the continued trend toward increased personal freedom of Chinese citizens to pursue their economic betterment.

While not discounting improvements where they are discernible, this Member also believes that when China takes steps that are clearly retrograde in the area of human rights, the Administration must condemn such actions forthrightly, both bilaterally and in appropriate multilateral settings. The Administration's decision not to introduce a resolution on human rights in China at the 1998 meeting of the United Nations Commission on Human Rights was a serious error, and was correctly criticized at the time by a number of Members of this body. This Member welcomes the clear statements by the Secretary of State during her visit to China last week. The Administration must now reverse the mistake it made last year in Geneva by introducing and advocating strongly for a resolution critical of China's human rights violations.

Mr. Speaker, this Member urges all of his colleagues to support H. Con. Res. 28.

Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. KINGSTON). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 28, as amended.

The question was taken.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject matter of House Concurrent Resolution 28.

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

There was no objection.

PROVIDING FOR USE OF CATAFALQUE IN CRYPT BENEATH ROTUNDA OF CAPITOL IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE HARRY A. BLACKMUN, FORMER ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

Mr. THOMAS. Mr. Speaker I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 45) providing for the use of the catafalque situated in the crypt beneath the rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable Harry A. Blackmun, former Associate Justice of the Supreme Court of the United States, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, and I have no intention of objecting, but I will ask the chairman if he has any comments he wants to make with reference to the legislation.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank my colleague, the ranking member, the gentleman from Maryland (Mr. HOYER), for yielding.

This is a serious occasion when an Associate Justice of the United States, after 24 years of service, passes away, and it is entirely appropriate that the catafalque reserved in the basement of the Capitol, known as the Lincoln catafalque, since he was the first to use that catafalque, be provided for the Supreme Court for this occasion.

It is always a sad time when the catafalque is used, but the memories and the history of this country, intertwined with the catafalque, I believe, carry with it the appropriate seriousness and ceremonial nature of recognizing one of America's finest former Justices of the Supreme Court.

Mr. Speaker, I thank the gentleman for yielding.

Mr. HOYER. Reclaiming my time, I echo the chairman's comments, Mr. Speaker. I believe that it is appropriate in this instance for us to authorize the use of the catafalque by the Supreme Court, as the gentleman from California (Mr. THOMAS) has said, to honor someone who has given such long and honored service to the country.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 45

Resolved by the House of Representatives (the Senate concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Chief Justice of the United States the catafalque which is situated in the crypt beneath the rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable Harry A. Blackmun, former Associate Justice of the Supreme Court of the United States.

The concurrent 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 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INFRASTRUCTURE IMPROVEMENTS AT DULLES AND NATIONAL AIRPORTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I have just come from a markup where a unanimous vote was taken for an historic breakthrough similar to what this body achieved last year with the highway trust fund monies.

We voted H.R. 1000 in the House Subcommittee on Aviation of the Committee on Transportation and Infrastructure to allow the gasoline taxes to go for what the taxpayers intended them for, and that is to pay for infrastructure improvements in our airports. We hope to break a stalemate that developed last year.

My interest is very special, because the National Capital region, through which most Members travel, has been the subject of a special spotlight. The trust fund will undoubtedly do for other airports what it will do for National and for Dulles. For example, to triple the amounts that would be forthcoming for these two airports, if this bill passes.

□ 1445

I do not need to remind Members that 25 million people come through these airports, many of them your own constituents, so you have surely the same kind of concern and interest I do, that these funds be released.

Some of my colleagues may wonder why the new terminal is completed but the historic old terminal is as it was, and that is because our funds have been held up quite apart from the reauthorization but because National and Dulles have been caught in the slot and perimeter controversy; that is to say, in the controversy over how many takeoffs and landings will be there. Republican and Democrat, Maryland, Virginia and the District, we have stood side by side saying no more slots at National, no more slots, because despite economic benefits for the District which I would ordinarily be for, there are such significant safety hazards, insufferable noise and increased ground and air pollution that it made no sense to crowd overcrowded National. At the same time we would seriously hurt

Dulles Airport which, instead of having its competitive advantage increased, would lose millions of dollars' worth of business.

In our subcommittee, we reached a reasonable accommodation with the addition of only six slots, and those going at only two per hour for underserved airports with no increase in the perimeter, that is, the number of miles from Washington that can be traveled, so there will not be increased noise in our neighborhoods. Remember, we are talking about an airport that is essentially located in downtown Washington.

We have also succeeded in getting $200 million released that was held up irrationally because in 1996 a link between getting nominations to the Metropolitan Airport Authority and the release of this money appeared in a bill. Our subcommittee delinks this so that when Members go to National Airport, they in fact will see the whole airport being renovated. We are to the point where if we do not proceed, the burden will be very great and we simply cannot wait much longer.

The other body has a provision in its reauthorization of the FAA, that is what is here, H.R. 2000, they have in S. 82, the companion bill, an additional 48 slots. I just want to say to this body here and now that the one thing National cannot accept is 48 new slots. That is unacceptable special interest legislation. It is this body that some years ago instituted a slot rule because National is one of the most dangerous airports in the country to fly into. It is greatly overcrowded. We hope that we can reach out in accommodation with the other body.

This is an airport for the world and for the country. In its wisdom, this body gave oversight of this airport to a metropolitan regional authority a few years ago. That authority has done a spectacular job. You can see it with your own eyes in the additions that are being made at Dulles, with the renovation of National Airport. Nevertheless, it is not a state of the art airport. It can never be a state of the art airport. We can make it more comfortable for people coming in. We must not overcrowd the air and make an airport that is now safe only because of a restriction on the number of slots unsafe because without thinking through this issue we have bowed to the Senate. I am sure that when we get into conference we can reach the kind of accommodation that all can live with.

To the Members I say, welcome to National Airport, welcome to Dulles Airport. Let us pass H.R. 1000 and get them both finished and safe.

IN MEMORY OF JOE DiMAGGIO, THE YANKEE CLIPPER

The SPEAKER pro tempore (Mr. KINGSTON). Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, yesterday our Nation lost a bit of its soul when the Yankee Clipper, Joe DiMaggio, waved good-bye for the last time. Unlike many, Joe DiMaggio deserved the accolades he received. Joe DiMaggio was more than just a great baseball player, I think we would all admit. Some argue he was simply the best. Clearly he was one of the best. For me and I believe many, it was not the hitting streak, the way he glided around the bases, the outfield he roamed effortlessly, or the many world championships he helped to secure. Heck, I never even saw Joe DiMaggio play. He retired 14 years before I was born. Certainly it was on the field where Joe DiMaggio earned his glory but it was off the field where he earned his respect and the everlasting admiration of millions. Joe DiMaggio lived a life with grace, dignity, integrity and humility. This is what I believe made Joe DiMaggio so very, very special.

Over time, celebrities puncture our culture or splash onto the scene only to disappear after what seems like a moment. These fleeting ''stars'' that society grabs and lets go so quickly grab the big headlines, go to the best parties, or are seen with the ''right people.'' Joe DiMaggio, on the other hand, was timeless. He grabbed a part of an era, the World War II generation, that some think is the best, and carried it with class until the day he died. Unlike many of those celebrities, Joe DiMaggio enjoyed universal love. Why the spontaneous standing ovations when he walked into a restaurant 47 years after he left the game of baseball? Because the people of this country still acknowledge greatness in their own special way. To many, Joe DiMaggio represented the wonders and goodness of man and this great country, America. You see, to many in this country, our country, character still matters.

Let me also take a moment to pay tribute to that city that Joe DiMaggio called home, and the city where Joe DiMaggio was one of its favorite sons, New York. In some parts, New York City gets a bad rap. That is a shame. New York City is unlike any other city in the world. Its pace may be too fast, crowds too large, streets too congested, but with all of this comes millions of people who love life, the United States of America, baseball and yes, the Yankees. And not necessarily in that order. And these folks loved Joe DiMaggio. Mr. DiMaggio embraced New York City and made it special and New York City embraced Joe DiMaggio and will never let him go.

And also what Joe DiMaggio represented, son of an immigrant from Italy who personified all the goodness of the great contributions Italians have made to build this great country. He was proud of his Italian heritage but he loved this country.

When Joe DiMaggio retired from baseball, he still had what others would argue is a few good years left. But not for Mr. DiMaggio. He walked away because he had standards. History will record those standards along with the hitting streak, the grace, the quiet dignity and integrity which will forever be the hallmark of one of the greatest baseball players of all time. So no more opening days, just memories and a celebration of a wonderful life. I wish I could say it ain't so, but the Yankee Clipper has set sail.

Mr. Speaker, in closing I guess he will forever be immortalized in a song written by the songwriter Paul Simon. In today's New York Times, Mr. Simon, in an op-ed piece, talks about those words, ''Where have you gone Joe DiMaggio? A Nation turns its lonely eyes to you.''

Mr. Simon says,

> In the 50's and the 60's, it was fashionable to refer to baseball as a metaphor for America, and DiMaggio represented the values of that America, excellence and fulfillment of duty, he often played in pain, combined with a grace that implied a purity of spirit, an off-the-field dignity and a jealously guarded private life.

Mr. DiMaggio was truly a great American and will forever be missed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DEMINT) is recognized for 5 minutes.

(Mr. DEMINT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 5 minutes.

(Mr. FORD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

(Mr. MILLER of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

(Mr. NADLER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

(Mr. SCARBOROUGH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HOME HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. SANDERS) is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, I would like to talk about an issue which is of great importance to my State of Vermont and to I believe virtually every State in the country, and that is the crisis that is currently occurring with regards to home health care.

As you know, Mr. Speaker, in 1997 the Congress, against my vote, without my vote, passed the so-called Balanced Budget Act which cut $115 billion from Medicare, including $16 billion from home health care. Of course, those savings were used to provide tax breaks, most of which went to the very wealthiest people in this country. So we cut Medicare, we cut home health care, and we gave tax breaks to the rich and to the very rich.

The result of that is that since 1997, cuts in home health care agencies have forced about 20 percent of those agencies to close, and agencies that are still open such as the 13 efficient nonprofit agencies in the State of Vermont are now struggling to meet the home health needs of their constituents with fewer resources.

Last year, we put a band-aid on the problem and passed limited home health relief. We took a small step forward, but clearly nowhere near enough. Right now we have got to stop the upcoming 15 percent across-the-board cut in home health care. We need to increase home health care per visit cost limits, we need to reform per beneficiary limits so that the sickest patients who need many home health visits have access to them. I am hopeful that Congress this year will do the right thing and pass comprehensive home health reforms this year that will truly help our agencies and equally as important Medicare beneficiaries who need home health care.

There is one particular aspect of the debate about home health care that concerns me very, very much, and, that is, that the Medicare commission is proposing a 10 percent copayment for home health care which would result in out-of-pocket payments for the average senior of $470 a year. Now, some people may say, ''Well, $470 is not a lot of money.'' Well, it is a heck of a lot of money if you are an elderly person, if you are frail, and if you have an income of $8,000 or $9,000 or $10,000 a year. That is 4 percent or 5 percent of your total income. At a time when many of our seniors cannot afford the prescription drugs that they need, when their out-of-pocket health care costs are soaring, it would be an absolute outrage to ask the elderly, sick, poor people to be paying $470 a year more for a program which they now receive for nothing and which they should continue to receive without cost.

It is beyond my comprehension, Mr. Speaker, that at this moment at the same exact time that people are talking about imposing an horrendous copayment on low-income, sick senior citizens, these same people are talking about tax breaks for millionaires and billionaires. In other words, in all essence you raise taxes for the poor, the sick and the elderly, those people who are too frail to leave their homes, and you take that money and you give tax breaks to millionaires and billionaires. That is unconscionable and it is beyond my comprehension that any Member of the United States Congress would support such a regressive and reactionary approach. What kind of country are we if we would do that?

I would hope, Mr. Speaker, that we will not go that route. I am proud to say that I will be sending a letter to the Medicare commission which contains the names of 69 Members of the House who are going to say to that commission, ''Don't impose a copayment on the elderly and the sick and the frail.''

Let us support home health care, let us understand that home health care is an integral part of long-term care, that it is something that is vitally needed, that it is something that is cost effective. If people do not receive the home health care that they need, they are going to end up in the hospital at far greater expense to Medicare.

I would hope, Mr. Speaker, that this body will go on record as saying no to any copayments and let us protect some of the most fragile people in our country, and, that is, those people who cannot leave their home, who are old, who are sick and who are poor.

RULES OF THE COMMITTEE ON APPROPRIATIONS FOR THE 106TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the requirement of clause 2(a) of rule XI of the Rules of the House, I submit herewith the rules of the Committee on Appropriations for the 106th Congress. The committee rules were approved by the full committee on February 2, 1999.

U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS, COMMITTEE RULES EFFECTIVE FOR ONE HUNDRED SIXTH CONGRESS, APPROVED FEBRUARY 2, 1999

Resolved, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Fifth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Sixth Congress.

The foregoing resolution adopts the following rules:

SEC. 1: POWER TO SIT AND ACT

For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House of Representatives, the Committee or any of its subcommittees is authorized:

(a) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(b) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary. The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection 1(b) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection 1(b) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

SEC. 2: SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; *Provided, however,* That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are authorized to sit as a member of all subcommittees and to participate, including voting, in all its work.

SEC. 3: STAFFING

(a) Committee Staff—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 9(c) of Rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) Assistants to Members—Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of that Member. Such staff members shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in Clause 9(c) of Rule X of the Rules of the House of Representatives; *Provided,* That Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

SEC. 4 COMMITTEE MEETINGS

(a) Regular Meeting Day—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

(b) Additional and Special Meetings:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special meeting.

(c) Vice Chairman To Preside in Absence of Chairman—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) Business Meetings:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or its subcommittees, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed.

(e) Committee Records:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is demanded. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congressional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House, except that the Committee authorizes use of any record of which Clause 3(b)(4) of Rule VII of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to Clause 3(b)(3) or Clause 4(b) of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

SEC. 5: COMMITTEE AND SUBCOMMITTEE HEARINGS

(a) Overall Budget Hearings—Overall budget hearings by the Committee, including the hearing required by Section 242(c) of the Legislative Reorganization Act of 1970 and Clause 4(a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(b) Other Hearings:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under Section 5(c) of these Rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Clause 2(k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in Clause 2(k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; *Provided, however,* That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) receive during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) Quorum for Taking Testimony—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) Calling and Interrogation of Witnesses:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon requested to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) Broadcasting and Photographing of Committee Meetings and Hearings—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause (4)(f) of Rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or Subcommittee Chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) Subcommittee Meetings—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) Public Notice of Committee Hearings—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information System.

SEC. 6: PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) Prompt Reporting Requirement:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved

shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) Presence of Committee Majority—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) Roll Call Votes—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) Compliance With Congressional Budget Act—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) Constitutional Authority Statement—Each report of the committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) Changes in Existing Law—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(g) Rescissions and Transfers—Each bill or resolution by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) Listing of Unauthorized Appropriations—Each Committee report on a general appropriations bill shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects, or activities).

(i) Supplemental or Minority Views:

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital that any such supplemental, minority, or additional views are included as part of the report.

(3) Subsection (i)(1) of this section, above, does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) Availability of Reports—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; *Provided*, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

SEC. 7: VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

SEC. 8: STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in Section 202(b) of the Legislative Reorganization Act of 1946 and in Clause (3)(a) of Rule X of the Rules of the House of Representatives.

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

SEC. 9: OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, except upon request from the Chairman.

(d) In accordance with Clause 8 of Rule X of the Rules of the House of Representatives and Section 502(b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) Travel Reports:

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended by any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employees.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and of the Committee on House Oversight pertaining to such travel, and as promulgated from time to time by the Chairman.

EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. CROWLEY) is recognized for 60 minutes as the designee of the minority leader.

Mr. CROWLEY. Mr. Speaker, I rise to speak about the educational needs of our children and about the poor facilities and overcrowding faced by schools in my district and districts all across this great country.

Mr. Speaker, education needs to be our first priority. When I talk to my constituents in Queens and the Bronx, the number-one thing that they ask me is what are you doing about the overcrowded conditions in our schools? The New York City public school system is the largest public school system in our country and proudly sends 62 percent of its students on to 4-year college careers.

□ 1500

This is a strong school system; however, it has two huge problems: aging buildings and a rapidly growing student population. I believe these are problems that plague many other school systems as well throughout our Nation.

Mr. Speaker, the schools need our support. The school systems educate our children, prepare them for college, and in many cases keep them off our streets, safe from harm. But now it is the schools themselves that are posing a threat to the safety of our children. Buildings are failing inspections, and classrooms are so overcrowded that teachers are forced to conduct classes in hallways and other makeshift venues. With these strange learning environments teachers cannot teach as effectively, and our children are the losers.

Every child deserves, every child deserves, a safe school and needs a safe school to have a chance at success in life. We must make it the priority of this House to help our children by helping their school systems with modernization and new school construction.

Mr. Speaker, in my congressional district the school age population is growing. This is extremely evident in the enrollment statistics and projections for the coming years. Queens and the Bronx are the home of many new immigrants to our country, contributing to the ever growing population of our schools. Community School District 24 in Queens is the most overcrowded school district in the New York City public school system. Overcrowding is already severe with School District 24 operating at 5,768 students, 5,768 students above its capacity. It will only grow in the coming decade. By the year 2007, the district will be operating at 18,701 students above capacity.

Mr. Speaker, that is 168 percent over capacity. Congress must and should work to alleviate this problem.

By 2004, high schools in Queens will operate on two shifts and 10-period days. Other schools in our country and even throughout the rest of New York City will operate on a standard 8-period day. For Queens, that means students will be starting earlier or ending later depending on their shift. Every classroom will be used for classes, eliminating the extracurricular activities that are so important in keeping our kids off the streets. We all know that children involved in after school programs are less likely to be involved with drugs and violence. Because of overcrowding, children in Queens, the Bronx are having valuable after-school programs taken away from them.

The condition of the schools in the Bronx and Queens epitomize the problems faced by schools throughout our Nation. The average age of a school in New York City is 55 years old, and one school in five is over 75 years old. These schools were not fit to educate our children 30 years ago, they were not fit 10 years ago, and they certainly are not fit for today. In fact, today 33 schools in the Bronx, part of my district, need exterior and interior repairs to bring them from substandard up to fair conditions. That is right; I did not say good conditions, I said fair conditions. These schools failed New York school facilities' engineering survey in New York's recently released 5-year capital plan. School facility engineers listed repairs for each school needed to bring them up to code.

Now I wondered what types of things would be needed in order to fail a school. I knew it had to be something bad, but I was not prepared with the actual results. In Queens, 12 schools need new toilet fixtures for student toilets. Children in these schools simply do not have adequate facilities. But that is no so bad when you look at the problems that their peers are facing in the Bronx. Three intermediate schools in the Bronx, IS 125, IS 131 and IS 192 along with one elementary school, PS 140, need repairs to their fire alarm systems. Yes, Mr. Speaker, we are sending these children to schools every day in the Bronx where they need to repair or replace their fire alarm systems.

There are so many projects, Mr. Speaker. Five schools need new roofs, 37 schools need structural repairs, including supportive retaining walls, sidewalks, re-paved black tops. Thirty-five schools need pairs or re-modernization to their heating systems, and 32 schools need pairs and upgrades to the security systems, and I am not talking about expensive alarm systems, but fencing, new windows and exterior lighting.

Then there are the projects I consider quality of life projects. These are things that each student needs to become well rounded. Nearly every elementary and intermediate school in my district, 53 in all, need upgrades to their auditoriums. School plays are as American as apple pie, and why should these students go without them?

Additionally, 6 schools need gymnasium upgrades, and 10 schools need playgrounds, reevaluations and in some cases, construction. Inner city children face the greatest difficulty with participating in sports and recreational activities. I am sure many of you share the image of children jumping rope on black top. Mr. Speaker, that black top is cracked and desperately needs repaving; that is, if there is any black top left to re-pave.

One result of the extreme overcrowding has been the construction of temporary classrooms, which are trailers or hastily constructed annexes usually placed in school yards or grounds where once school yards were. In fact, the school yard I played in as a boy no longer exists. It has been replaced by temporary classrooms, and they are now building a new annex to that school on the former playground. Then there are physical education classes, a requirement for graduation from high school in New York State, being conducted in hallways. We need to make our schools safe and less crowded, but we also have to restore a quality of life to the education of our students as well.

I used these examples from my district, the 7th Congressional District of New York, comprising parts of Queens and the Bronx in New York City, to illustrate the types of problems faced by schools across our Nation. Whether it be rural, suburban or inner city schools, our schools need help.

Mr. Speaker, our children need help. We need a major school modernization initiative, a program that will provide significant help to local school districts and States in meeting their needs both to build new classrooms in order to keep up with the rapidly growing school enrollments and to renovate and to modernize their existing facilities.

I and many of my fellow Democrats support the Rangel initiative which provides Federal tax credits to pay interest on $25 billion in bonds to build and renovate public schools. This new initiative would have a dramatic impact on helping school districts and States across their unmet construction and modernization needs. We estimate that these Federal tax credits will help local districts renovate or build approximately 6,000 schools across our Nation.

Another democratic initiative is being offered by my colleague from North Carolina (Mr. ETHERIDGE). The Etheridge School Construction Act would provide $7.2 billion in school construction bonds targeted to fastest growing States. Mr. ETHERIDGE's bill and the Rangel initiative will particularly help schools facing enrollment explosion like mine in New York City.

I mentioned before the overcrowding in my district and want to illustrate how much these democratic initiatives would help the City of New York and particularly the Borough of Queens. The 5-year capital plan released by the New York Board of Education states that 75,600 new classroom seats are

needed citywide in the next 5 years. Of those, 54 percent are needed in the Borough of Queens alone. Simply put, out of the five boroughs of New York, one, my home Borough of Queens, comprises more than half of the new construction projects needed in our city. In Queens alone, 36 new schools are scheduled to be constructed in the next 5 years, the maximum feasible according to the city of New York. Unfortunately, this still leaves us 60,000 seats short by the year 2007. We will be 60,000 seats short even after we build 36 new schools and after we fully implement 10-period, two-shift days.

These new schools cost money. New York City's Board of Education estimates that $11 billion is needed to reach 5 year facility and technology goals. Yes, I said $11 billion to bring our schools to fair condition and to give our children less crowded schools.

This is not about whether the Federal Government should be involved in education, and it is not about equity for all cities and states. Mr. Speaker, the youth of our Nation should not be penalized for a population boom in their region, and our States and localities should not be criticized for not contributing their fair share. The City of New York is spending over $6 billion on school construction, and the State of New York, which needs the support of its legislature, is hoping to contribute approximately $2.4 billion, but they desperately need help, as do many towns and cities across America.

It is our duty to help our students, to help them by providing Federal tax credits to pay interest on bonds in order to help school districts and States meet their construction and modernization needs. Above all, we need to put our children first, Mr. Speaker. They are our future, and I, for one, will do everything possible to ensure that every child in New York City, New York State and in the United States has a seat in a classroom and a safe learning environment.

Mr. Speaker, I yield now to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman. I thank him for his leadership in sponsoring this time so we can talk about the needs of our nation's schools. The gentleman from New York (Mr. CROWLEY) just talked about New York City. I am going to bring this 3,000 miles west to talk about San Diego, California, and the situation is very much as the gentleman described in my hometown.

By the way, I went to school, graduated 40 years ago in I think a school in the gentleman's district, Forest Hills High School, just out, but I am sure that is a school that needs just the kind of thing. It was a great school 40 years ago, it is still there, it has probably more than 5,000 students in it, and it needs help.

Mr. CROWLEY. A great school; as well as the gentleman knows, also the school that graduated Paul Simon, the famous musician. Art Garfunkel as well.

Mr. FILNER. We had Simon and Garfunkel a year ahead of us in school.

I am the former President of the San Diego Board of Education, and I know how we have to make our children's education a top priority for all of us. Quality education demands that we provide our teachers and students with classrooms and school buildings that are not falling down around them. In my home town of San Diego, in the towns I represent, Chula Vista and National City, California, the needs are becoming almost overwhelming. The San Diego Unified School District, which is about the sixth biggest school district in the nation, serves 140,000 children, and we are growing at almost 2 percent a year. Willing to do their part, as the gentleman from New York (Mr. CROWLEY) suggested in New York, the citizens of San Diego recently voted last year a $1.5 billion school bond, and they did that by over 75 percent of the vote. That is an incredible support to show that people are willing to use their own tax dollars for their top priority, their children. But our needs are almost 4 billion by the year 2,013. That is another 2½ billion have to be found. Twenty new elementary schools, two new middle schools, four new senior high schools have to be built by the year 2013.

Further south in my district, the Sweetwater Union High School District, serves 33,000 students in grades 7 to 12. They need $240 million worth of modernization. They, too, will have a bond issue on the ballot next year, and I am sure our population will support it. But most of the schools are more than 30 years old, five were built 50 years ago, two-thirds of them now accommodate more than twice the number that they were originally built for. We are running out of room in San Diego, in National City and Chula Vista just as you described in New York City.

Like trying to maintain a car with 100,000 miles or more, the job of maintaining our schools is increasingly difficult. Let me mention two specific examples, just to bring this home. At Castle Park High School frequent sewer back ups, water leaks and broken pipes disrupt the school routine. The wobbly, 35-year-old gym bleachers need to be replaced. Crumbling steps and walkways pose danger because chunks of aging cement are missing and tree roots have ripped up concrete. Old classrooms have been converted into science labs, but they lack adequate lab facilities, and hands-on experiments are severely limited. Ten temporary classrooms have no rest rooms or drinking fountains because the existing sewer lines cannot handle the demand.

Hilltop Middle School was built in the 1950s. Its campus has deteriorated to the point where routine maintenance and replacement efforts have only minimal impact. The teachers have memorized the circuit breaker locations, Mr. Speaker, because classrooms regularly blow fuses from electrical overhead when lights, and overhead projectors and computers are used simultaneously.

□ 1515

Students cannot shower following their physical education classes because of the antiquated plumbing system which cannot produce hot water. Long lines to restroom facilities are a daily routine because the school has only one set of boys' and one set of girls' bathrooms for 1,250 students.

How can our students develop in this computer age if the wiring and electrical supply to their schools cannot handle the computers?

Physical education should be an integral part of healthy students's lives but how can we expect our kids to exercise and then sit in sweaty clothes and bodies for the rest of the day because there are no showers to use?

I know we have heard of the broken window theory as it applies to our community. That is when a window breaks and is fixed the neighborhood maintains its quality. The message is sent that someone cares. Opposite, when a window breaks and it is not fixed the message is just the opposite. We do not care as a community, and soon another is broken and another and still another. Deterioration of the area then leads to graffiti, gangs, drugs and crimes. We know that routine.

We are sending the wrong message to our kids. With dilapidated and overcrowded schools, we are telling them education is not important. What a disservice to our young people.

So let us join with the President, let us join with the gentleman from New York (Mr. CROWLEY) today, let us join with our colleagues from all over the Nation in support of the school reconstruction funding proposed in the families first agenda.

We at the Federal level must do our part in supporting the efforts of local school districts and our States. Congress should pass the school reconstruction and modernization legislation as soon as possible.

I thank the gentleman from New York (Mr. CROWLEY) for his leadership here. I also thank the gentlemen from Massachusetts and North Carolina and Oregon, and I know we are going to hear from the gentlewoman from California (Ms. WOOLSEY).

Mr. CROWLEY. Mr. Speaker, I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I thank my colleague from New York (Mr. CROWLEY) for putting together this very important special order. He is doing a great job.

Mr. Speaker, I ran for Congress because I believe that our children's education must be the number one priority in our country, and that is why I am on the Committee on Education and the Workforce.

We must prepare all of our children for the high skill, high wage jobs that

will ensure America's leadership in the next century in the entire world market, and at the same time ensure that our children have a good place in the workforce. We also can prevent dependency on welfare here at home.

Last year, Congress agreed that small classes are crucial to good learning. We passed the President's class size reduction program to help schools so that they can recruit, train and hire qualified teachers so they will reduce the class size to an average of 18 students in grades 1 through 3. We did this because current research findings prove what parents have known all along what teachers have been telling us for years, is that kids who are in smaller classes learn better, especially in the lower grades.

Now we must go the next step, and we must pass the President's school modernization and construction initiative.

Children, even in small classes, cannot learn in trailers or in old school buildings that are crumbling around them. We cannot expect our children to get a first class education if they are being educated in second and third class school buildings.

We know that America's schools are overcrowded and that they are wearing out. In its report, School Facilities, Condition of America's Schools, the GSA estimated that billions of dollars are needed to upgrade school buildings all across America. About 60 percent of all American schools need at least one major repair or replacement.

My home State, California, leads the Nation in projected student growth. It is estimated that overall school enrollment in California will increase by 15 percent by the year 2008. This is not even 10 years from now. More than 30,000 additional classrooms will be needed to accommodate this growth. It is expected to cost more than $4 billion to construct enough schools and school rooms to meet this need, and this amount does not include the cost of repairs that will be needed for existing schools.

How will communities in California and communities across the Nation be able to finance these school improvements? If Congress approves President Clinton's schools construction modernization tax incentive, schools will be able to take advantage of interest-free bonds to build or modernize what is needed for their expansion and their continued education.

The President's proposal will provide 15 years, 15 years, of interest rate subsidies for school construction. That will come through bonds that are issued over the next 2 years. It is time to show all of our children that their school is equally as important as a shopping mall or a prison. If we do this, our children will know that they are our top priority. Let us put our money where our mouth is. Let us pass a real school construction initiative and let us do it this year. Remember, although children make up 25 percent of our population, they are 100 percent of the future of this Nation, and their education must be our number one priority.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for her remarks.

Mr. Speaker, I now yield the floor to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from New York (Mr. CROWLEY) for his leadership in hosting this special order on a very critical issue, not only school construction but school modernization and really the quality of the environment where our children go to school every day.

I appreciate that, and for the other speakers who have been here prior to me today.

I want to sort of be forced to have sort of a dialogue, if we may, because last week I had the privilege of hosting a special order and it is tremendously helpful when other Members can have a dialogue on an issue that is so important to the future of this country.

It is amazing to me many times how we talk so much about an issue, of how it is important it is, and then when it comes time to funding we tend to have a big loss of or lapse of memory, as I say sometimes a big slip between the lip and the hip, when it comes time to fund educational opportunities for our children.

Prior to my coming to the People's House 2 years ago, I had served 8 years as the elected superintendent of schools in the State of North Carolina, a State that is not unlike New York or California or any other State in this country today that is struggling with overcrowded classrooms; making every effort to improve the quality of instruction. North Carolina has been cited as one of those States, by the secretary of education and many others, for some quality things they are doing in the classroom.

Just this past weekend on Friday I went to East Wake High School and had the opportunity to speak to an academic gathering of high school students, all of whom had made straight As.

I hesitate to think how many of this body had made straight As to be here, but 5 percent of that total student body had made straight As and I was pleased to be there. The challenge that they face is substantial, because they are in overcrowded spaces. Every space that should be and is, and some spaces that should not be as classrooms are, used as classrooms. They had six trailers on campus, and we are getting ready to add 3 more, in a county that is struggling to meet their needs.

Just yesterday, the gentleman from North Carolina (Mr. PRICE) and I were at Wake Forest-Rolesville High School in Wake County, which is part of my district, where we met with the students and heard them talk about the problem of overcrowding. A school that was built for a thousand students now it has over 1,600 and a substantial number of that student body is now in portable buildings or in trailers. Every space in that building is taken.

Unfortunately, the cafeteria has not been enlarged and neither has the library been enlarged. Neither have the bathrooms been enlarged.

We heard a student talking about the real challenges that they face just with discipline, but what he said was, and I think it is something that is instructive to all of us, he said we have teachers that are called rovers because we are so short in classroom spaces that teachers do not even have a home room and they move from room to room to teach. He said when I want to go get some special attention from my teacher and help, the teacher is not in the classroom. I cannot find the teacher.

Now, that is not unique to my State. It is true all across this country. Wake County, as an example, has added 30,500 students in the past 14 years. It is growing by 29.7 percent, has grown, since 1970. They are adding between 3,500 and 4,500 students each year, depending on how many jobs open in the area.

As I tell folks, this is one of the best areas in the country to find jobs, with a 1.5 percent unemployment. It is amazing when people come there to go to work they tend to want to bring their children with them. We are glad to have that, but it adds pressure to our State and to our communities and we desperately need not only to build new schools but to modernize, as the gentleman from New York (Mr. CROWLEY) has said, and others have already said today.

Every school almost in my congressional district is growing by about 20 percent since 1990. They are building, they are borrowing money, they are working hard and it is time now that those of us at the Federal level do our fair share and help. I think the President's proposal is important. It helps in those communities that have great needs, but I think we can do more.

I have introduced H.R. 996, which the gentleman has been kind enough to be a cosponsor on with others, and what this will do is reach out to those communities that are growing so rapidly. New York happens to be the fourth fastest growing State in the Nation for new students. It is called the ''baby boom echo'' because the baby boomers who came out after World War II are now having children and they are coming to school.

We need to remember that those young men and women who came home from World War II decided that there was a need to make sure that schools were there for their children and they put their children through and built the bulk of the schools that we now have. It is now our turn to step up and help that process.

The States are doing a lot. Local unions are doing a lot. We can now help at the Federal level by giving those tax exempt bonds. It does not get in the

way of anything locals are doing because all we are doing is providing the cost of the interest on those bonds. They decide where they are going to build, how they are going to build, and it is totally a local effort.

Not only will it provide school buildings, opportunities for renovations, it is about $7.2 billion dollars, and let me remind folks who are tuning in that the fastest growing state in this country is the State of California. The second fastest growing State is Texas. The third is Florida. The fourth is New York, and the fifth is my home State of North Carolina and it goes down that list. All across this country we are seeing tremendous growth.

If it were not snowing today, and for those who are tuning in it is snowing mightily here in Washington, D.C., there are about 53 million students in our public schools in this country today, the largest number of students in public schools we have ever had in our history; in my home State, about 1.2 million, and the number is growing at a rapid pace. We need to do our part to help struggling local systems.

We are calling on them to be innovative. We are calling on them to improve academic performance, and they are doing that. We need to help teachers have quality places to teach and children have good places to learn.

I often say to civic clubs, and I say it here again because I think it is so important, I cannot imagine any group in a town that is asking a new business to move in to come in and move to an old rundown warehouse and open up their business and say to them the quality of the facility does not matter, because I have heard people say that about schools; the facilities is not what is important but it is the people who are put in it.

Say that to a local business and see if they will come back and open their business in your town. It is important for the quality of that facility and how it looks, because when I was State superintendent it is amazing how many businesspeople from around the country that do commerce would contact us, would ride into town and look at the buildings and then they would want to know about the quality of construction. It was amazing if they were nice, new buildings. They always assume it is good quality, things are going on; and it is.

It is important to have nice looking facilities and have quality because teachers deserve that, and today when we are having a shortage of teachers, and last year this Congress passed the first installment of 100,000 teachers, we need to finish that this year and keep going.

□ 1530

But we also need to make sure we have a quality place to teach and children have a good place to learn.

I thank the gentleman for putting together this Special Order today. It is important that we continue to talk with the American people, tell them to write their Congressmen and their Congresswomen and say to them, we need you to act now, we need you to help our local systems, help them meet this great need that we have all across America.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from North Carolina. I don't know if it is appropriate, but I am happy that others are having the same problem we are having in New York; is that right? Is that fair to say?

Mr. ETHERIDGE. Mr. Speaker, it is true, and I think it is by varying degrees, depending on where one is in the country. In certain parts of the country, there is a tremendous need for renovation and repair of current facilities, not only repairing in terms of repairing the buildings and fixing glass, but we have needs for infrastructure.

We talk about the Internet and computers. A lot of our buildings, they are not even wired to accept them, and many places do not have the land. Other places are growing so rapidly, they need new buildings. So it is a combination. The answer is absolutely yes.

I think it is different between different parts of the country, but it is true all across America. America is one of those great countries where one can travel the world and we say to a child anywhere in America, if you want to go to public schools, you can go. It is a great smorgasbord of opportunity for the future. Step up, enjoy yourself, and take all you will.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from North Carolina.

I now yield the floor to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I thank the gentleman for hosting this Special Order on a very, very important topic.

I recently hosted a series of education town hall meetings in Astoria, McMinnville, Beaverton, St. Helens, and Portland, Oregon. The attendance at these Education Town Halls was absolutely remarkable. Clearly, Oregonians are committed to improving public education. Congress can honor that commitment by providing resources to help Oregonians and all Americans make schools better.

Many school districts share similar problems: Large class size, aging or inadequate facilities, and unfunded or unnecessary Federal mandates. However, the needs of each community differ.

Schools in Beaverton and Hillsboro suffer a crisis of rapid growth, creating classroom overcrowding and exacerbating student discipline problems. Schools there need the resources to expand and maintain school quality. Schools in communities such as Astoria and McMinnville need resources to modernize school buildings and provide students with up-to-date technologic tools.

In Astoria, the most modern elementary school was built in 1927. Some classrooms have only one electric plug in the entire classroom. This is simply not an adequate environment in which to prepare our children for the 21st century.

To help school districts deliver high-quality K through 12 education, Congress can help by doing 3 simple things: Reduce class size, modernize schools, and decrease Federal mandates.

First, we can help good teachers do their jobs by reducing class sizes in the first through third grades. Experts say that reducing class size in the early grades to an average of 18 per classroom will enable students to get the attention they deserve, help teachers attend to students' specific needs, and identify problems early on when they can still be solved.

This is why I am introducing an amendment to the Ed-Flex bill with the gentleman from Missouri (Mr. CLAY) which will reduce class size by hiring 100,000 additional qualified teachers. Last year, Congress passed the first year of this 7-year plan. Unfortunately for our school children, some in Congress say they were only agreeing to a 1-year allocation. Our children deserve each and every year of the class size reduction plan.

Second, we can make it more affordable for local school districts to refurbish old school facilities and construct new buildings to accommodate rapid growth. This Congress should pass legislation to help local school districts afford school construction by paying the interest on local school bonds. That is why I am proud to cosponsor the legislation by the gentleman from North Carolina (Mr. ETHERIDGE) who was just here. The legislation will leverage approximately $5 billion of Federal money into $26 billion available to local school districts for construction and repair.

Finally, we can lift burdensome Federal regulations to provide local schools flexibility and the opportunity for innovation. That is why I am a cosponsor of the Ed-Flex bill. We will begin discussion of Ed-Flex on this House floor tomorrow morning.

Ed-Flex will give States real flexibility so school districts can fashion solutions appropriate to the communities they serve and avoid a ''Washington knows best'' mentality. My State, Oregon, pioneered the Ed-Flex concept 4 years ago, the first of 12 States nationwide to be granted Ed-Flex status. Through Ed-Flex, all States will have the freedom to improve school performance and accountability.

The agenda ahead is clear: Reduce class size, rebuild and modernize schools, and give local communities the freedom to implement effective school reform. It will take a real commitment by Congress and the full energy and passion of every parent, teacher, and student in Oregon and across the Nation. We must work hard to meet the challenge, and I thank the gentleman from New York for hosting this important Special Order.

Mr. CROWLEY. I thank my fellow freshman, the gentleman from Oregon.

I will also note that it is coast-to-coast, this issue. From Astoria, Queens to Astoria, Oregon, we have a similar problem.

Mr. WU. As an aspiration, it is not just bicoastal, it is bipartisan.

Mr. CROWLEY. Bipartisan.

Mr. Speaker, I now yield the floor to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I am proud to stand here today.

The only rights our youngsters have, the only privileges they have are those rights and privileges we as adults choose to give them. We have no greater calling than to provide the very best for our children. Our children rely on us, not only for building bridges and roads, but also to invest in the needs of our public schools. Through our public school systems, we provide these needs that ensure our children are able to learn, live and succeed in a safe educational environment.

Last year, we helped our children by hiring more teachers and reducing our class sizes. Now, our teachers will be able to focus on the basics such as reading and writing at early ages. So we have taken the initial steps, but we need to do more, and we can do more.

We all know that the environment where our children learn plays a direct role in education and has a direct impact on how they are educated. We want our children to succeed in a modern economy. We must provide them with the classrooms, the facilities that will enable them to succeed in the 21st century.

At the beginning of this school year, I visited Burbank High School in San Antonio, Texas to survey the conditions of the school and how we expected our students and teachers to function on a daily basis. Although I was surprised by the conditions of the school that was built in the 1930s, I was not shocked that Burbank is just one of more than over 4,000 schools in Texas that are in need of repair and necessary upgrades.

Burbank High School suffered from traditional maintenance problems, such as the need for new electrical outlets, and if anyone lives in an older home, they recognize the fact that we are not able to put in any of the new types of appliances unless we upgrade the system in our homes. Our schools are in the same condition.

We also recognize the importance that beyond immediate electrical outlets and those kinds of things, old radiators for heating, and especially now when we see the snow and the cold out there, that there are some areas that have needs of both having air-conditioning and heating that is important for our kids.

We also recognize the importance of new modern facilities. Burbank High School was built at a time before the Internet, at a time before cable television, at a time before modern air-conditioning. Nearly one-third of the schools nationwide fit this same profile, which means our children are not being taught in the environment that will prepare them for the 21st century.

The school construction proposal that the Democrats proposed last year was and is the only solution to problems that schools such as Burbank High School experience at this point in time. Last year, the majority party of the House of Representatives missed the opportunity to provide bricks and mortar for our schools, and instead opted for a proposal such as block grants and vouchers that erode our public school system. We must help our crumbling schools by helping States and local school districts afford this cost of modernizing our buildings as quickly as possible and not come up with proposals but prove only to hamper our existing situation. The new Congress we hope will afford us the opportunity to do the right thing and put some additional monies in construction.

Mr. Speaker, I just want to add that a lot of people do not recognize what one of the largest populations, the baby boomers in the 1950s, the individuals that fought in World War II and in Korea recognize, and that is that they were there to make sure that those youngsters which are ourselves, at least myself, and I am a baby boomer, to make sure that we were provided with that access to education. As we turn this century, we have what we call the baby echo, the youngsters of the baby boomers, our kids. We want to make sure we stand up to the plate to make sure we provide them with the adequate resources that are needed so that they can compete in the 21st century. It is not only important for them, but it is important for us as a country.

Again, I will close by indicating to my colleagues that the only rights and privileges our youngsters have are those rights and opportunities that we as adults provide them with. Let us stand up to the plate and make sure that we pass this proposal through.

Mr. CROWLEY. Mr. Speaker, I yield to my colleague, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank the gentleman from New York (Mr. CROWLEY), my friend, for hosting this Special Order. It is so important to the Nation's children.

Mr. Speaker, far too many of America's schools are old and dilapidated. They are falling apart at the seams, placing our children in an environment that makes teaching and learning incredibly challenging.

Such nearly impossible challenges are faced by the faculty and the students of the Fisk Elementary School located in the first congressional district of Illinois. This school was built in 1905, long before the age of educational technology. The last time Fisk saw some capital improvements was in the early 1960s, and since that time, it has experienced no other improvements.

A simple walk around that school makes the case abundantly clear. In the large 4-story building, there are no elevators, there are no lockers. Students and teachers are forced to walk up and down stairs all day long, carrying heavy books strapped to their backs and carrying their coats on their arms. The student population, which has swelled to almost 600 students, must share the very few bathrooms that are located on every other floor in this old dilapidated building. The gymnasium also serves as the lunch room and as an assembly hall, thereby causing a major logistical nightmare for those faculty Members who want to plan special activities and special programs for the students.

□ 1545

The antiquated structure poses various problems as they begin to contemplate wiring for computers and Internet service. Far too often, students must suffer in uncomfortable classrooms, too hot in the summertime because the windows do not open, or too cold in the wintertime because the windows do not close.

Unfortunately, Fisk Elementary is a mere example of an alarming number of facilities in the First Congressional District, in other congressional districts, and in school districts all around this country. Almost one-third of all public schools were built prior to the beginning of World War II in 1939, and are indeed in need of drastic renovation and repair.

At the same time that these dismal conditions exist school enrollments are reaching record heights, and yet students are left to learn in unsatisfactory and even wretched conditions.

Now more than ever an aggressive nationwide school construction and modernization effort must be implemented, quickly and thoroughly. Modernizing the nation's public schools will assist school districts with necessary repairs and renovations, and meet the unprecedented demand for new classrooms equipped with educational technology.

The 600 students of the Fisk Elementary School, and that is only one example, and those students in classrooms all across this country, they are depending on us, they are depending on this Congress, they are depending on this administration. We cannot fail our Nation's future.

Mr. CROWLEY. Mr. Speaker, I yield to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I want to thank the gentleman from New York (Mr. CROWLEY) for yielding to me to speak on this very important issue of school modernization.

Mr. Speaker, I am pleased to join my colleagues today in calling for school modernization all across this great land of ours. Our Nation's schools are crumbling at an alarming rate, and this is compounded by the dramatic increase in enrollment due to the so-called baby boom echo, the children of baby boomers like mine who are filling our schools all over this country.

Without a fundamental increase in the rate of school construction and modernization, each passing year will bring a school system less worthy of our children. I am visiting every high school in my district in the next year so that I can see firsthand the spaces in which our children are learning and growing.

A couple of weeks ago I visited the high school in Idaho Springs, Colorado, and frankly, I was overwhelmed by what I saw that day. Some classrooms could only be accessed by walking through other classrooms that were already in session. There were spaces that were unusable or completely inadequate for learning, as well as other infrastructure and technology problems.

The citizens in this school district have tried to fix these problems by improving school bond issues, but they are a small community and unable to meet the full responsibility of financing reconstruction or new construction for a new high school. This is a prime example of a school district that needs the kind of aid we are proposing.

There are three initiatives we can take right now to upgrade our public schools. First, we need smaller classes. Simply put, smaller classes produce brighter, better-educated kids. We need to finish the job of hiring 100,000 new teachers in order to reduce class sizes in grades 1 through 3, so we can reduce the number of students in one of these classrooms to 18 or less.

Second, we must provide Federal tax credits to enable States and districts to modernize and renovate public schools, to improve learning conditions, and end overcrowding.

In 1995, the GAO, which is nonpartisan, by the way, put out an in-depth study on the state of America's public, elementary, and secondary school facilities. I would say to the gentleman from New York (Mr. CROWLEY) that the results are staggering. Let me list some of them.

One-third of the Nation's schools need extensive repair or replacement. That is one-third. These schools serve about 14 million of our American children. The schools in urgent need are not just in one category. They are across the spectrum. Thirty-eight percent of these schools are in urban areas, 30 percent are in rural areas, and 29 percent are in suburban areas, so it covers all the American landscape. This backlog of school infrastructure unmet needs totals right now $112 billion.

On top of this, 58 percent of our schools report unsatisfactory environmental conditions. These problems include things like ventilation, heating, air conditioning, and lighting. Then, in addition, we have the environmental hazards that I alluded to such as asbestos, lead in our water, lead in the paint on the walls, and radon gas in our schools.

According to an audit on behalf of our school districts in Colorado, $190 million is needed to correct these most critical safety building problems in my home State.

We might say, why do we need to modernize beyond this particular situation? School enrollments are increasing all over the country. Let me give a couple of facts from Colorado. We are going to have 70,000 new students in the next 5 years in Colorado, and the number is projected to be 120,000 10 years out. One does not have to be a rocket scientists to understand that the demand for our school facilities is going to increase dramatically with these dramatic increases in our student population.

The school construction initiatives we are considering in the Congress will help our school districts build and renovate facilities to keep up with the rapid growth in student population and eliminate these safety hazards. That is why I am proud to cosponsor H.R. 996, the Etheridge School Construction Act of 1999.

Finally, we need to equip and upgrade our existing schools with the technological tools that students are going to need for the 21st century. As our technology continues to play a larger role in our lives, we must make sure that we continue to hook up schools to the Internet, protect the E-Rate discount for schools and libraries, and integrate technology into school curriculum.

Currently, 21 percent of Colorado schools have insufficient computer capacity and 57 percent have inadequate modem lines. That is unacceptable.

Mr. Speaker, in closing, I believe no challenge is greater for our Nation than ensuring that all of our children receive the highest quality education possible. By meeting this challenge, we will give them the gift of opportunity. With opportunity and preparation, our children will be able to live their lives to their fullest potential.

Mr. CROWLEY. Mr. Speaker, I yield to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentleman from New York for his leadership on the management of this bill.

Mr. Speaker, I rise today in strong support of the School Construction Act. The American Society of Civil Engineers has reported that local school buildings represent America's most urgent infrastructure need. In my school district, the schools provide a perfect example of this need.

The Kansas City, Kansas, School District needs $11.6 million, according to a study, to bring them up to standard: to correct electrical systems that are real problems in these schools, to provide adequate heating and air conditioning, and to replace broken windows.

Federal tax credits would allow States and local school districts to build and renovate local public schools to stop overcrowding, reduce school sizes, class sizes, and foster a positive learning environment. I urge my colleagues to support the School Construction Act. We need to give our children safe and adequate facilities in which to learn. We need to give our children the tools with which to learn.

Mr. CROWLEY. Mr. Speaker, I yield to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Speaker, I express my thanks to the gentleman from New York for allowing me to have this opportunity.

Mr. Speaker, we must ensure that our young people not only have the best teachers and the best resources, but also the best classrooms to meet the challenges of this oncoming 21st century. Children cannot learn if their schools are falling apart. Children cannot learn when they are packed beyond capacity in a classroom. Children cannot learn when they cannot get the individual attention they need.

Kentucky serves about 590,000 students, with over 350 schools in either fair or poor condition, suffering from deterioration and requiring immediate attention. The 1998 Kentucky school facility need assessments indicated there is $2.4 billion worth of unmet need, including new construction for growth and renovation of existing facilities to address declining infrastructure, life safety upgrades, technology wiring, and handicapped access.

We must provide our local school districts with tax credits to modernize classrooms, to improve the learning environment for students, and to end overcrowding. We owe it to our children, we owe it to our future.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Kentucky, and I yield to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, every day when we address people in this body, we are surrounded by young people who look down on us from above and ask what we are going to do for this educational system of this country. I would like for them to look up to us, look up to us because we have done the right thing. We have supported education, not just through our rhetoric but through our actions. We have supported education by building schools that this Nation can be proud of and in which young people can learn and learn with dignity.

I have come from an area where we have some of the fastest growing school districts in Washington State. Southwest Washington, home of the Evergreen School District, is experiencing extremely rapid growth. In fact, the growth rate is 4.5 percent a year, which means that in just over 4 years we will have 20 percent growth, up to 26,000 students in that school district.

We have over 320 portable classrooms in this district, portable classrooms, classrooms not designed to last for years and years and not designed to house large numbers of students, but that is what we are using, and it is a disgrace.

I am an original cosponsor of H.R. 996, the School Construction Act, and I encourage my colleagues to support this important legislation. It will help us leverage up to $7.2 billion in local school construction bonds. It will help solve the problems that we were sent here to solve. It is a good bill. It is the right bill for America. I encourage our colleagues to support it.

Mr. CROWLEY. Mr. Speaker, I yield to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, as a country, we are in an enviable position. The United States is prospering due to a sound economic policy, low unemployment, and a balanced budget, but we must not rest on these accomplishments. We must build and go forward. We must now address the most important issue facing our country, the need to improve our educational system. We have the opportunity now to invest in our children and in our futures.

Last year we started down the road to improving our public school system by making a commitment to hire 100,000 new teachers at the early grade levels in an effort to reduce class size. This will allow us over the next several years to reduce the national average class size to 18 students. In addition, this will ensure that we are providing a solid foundation in the essential basics during the crucial early years of child development.

What the last Congress did not accomplish we must accomplish in this Congress. Our Nation's schools need to be modernized and, in many cases, rebuilt. As we head towards the 21st century, we cannot allow our children to be forced to learn in dilapidated schools and in crowded temporary facilities.

In my home town of San Antonio, I have visited schools where space is so limited that teachers' offices are in tiny rooms which once served as utility closets. If we are looking for improved results, we must afford the best learning environment for all of our children. We must, in modernizing schools, continue to provide them with the ability to access the Internet, not only as an educational tool but also as a teacher training tool.

In addition, we must establish incentives to recruit and maintain highly qualified teachers, providing increased support through teacher training in specific fields of expertise.

The President, in his State of the Union Address and in his administration's budget, has proposed a comprehensive program to improve our public school system. I believe the administration's educational agenda is headed in the right direction, and I support the President's proposal to provide approximately $22 billion in interest-free funds for school modernization.

□ 1600

These funds will benefit schools in virtually all of our districts, in some cases rebuilding schools that were built before we very first entered the public school system.

Recently there has been much talk about a global economy. If we as a country and our children as the future leaders of this country are to participate and prosper from that economy, we must stop the erosion of the public school system and work to ensure that the public school system not only improves but thrives as we enter the 21st Century.

Mr. CROWLEY. Mr. Speaker, just in closing, I want to thank my colleagues. We built these schools after World War II to take care of the G.I. men and women who came back after fighting that war. We built them then; we can build them now. I hope we will build them.

DRUG WAR IN THE UNITED STATES

The SPEAKER pro tempore (Mr. REYNOLDS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 30 minutes as the designee of the majority leader.

Mr. MICA. Mr. Speaker, I am pleased to come before the House tonight to talk once again about the drug situation in the United States and the various questions related to drug policy that face the United States Congress.

I had the privilege to be named as the chair of the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the House of Representatives, which will be charged with both authorization responsibility as it relates to national drug policy and also oversight of our drug policy for the House of Representatives as we begin to try to fashion a coherent policy for the United States.

It is my privilege tonight to again bring to the attention of my fellow Members of Congress and also the American people the situation we have facing us relating to the ravages of illegal narcotics.

It is interesting that, at this hour, the President of the United States is in Central America, and he is there because 9,000 people died in a natural disaster, Hurricane Mitch. It is rightful that this Nation try to assist those countries in Central America, other allies and friends, neighbors to the south who have seen the ravages of a natural disaster. However, those 9,000 people killed by a natural disaster do not equal those killed in the United States just in 1 year due to the drug abuse problem and illegal narcotics.

Drug abuse killed, last year in 1998, 14,218 Americans at a cost of $67 billion. These are the ravages of a war on drugs that we have been losing, a man-made disaster that has taken thousands and thousands and thousands of lives. Just during the time of the Clinton administration, before it expires in its 8 years, over 100,000 Americans will die because of drug-related deaths.

In my area in central Florida, and I brought this little clipping from the newspaper, this headline of the Orlando Sentinel, ''Drug deaths top homicides,'' and this is from the last few weeks of last year, December 23, 1998, the headline disclaiming that, in peaceful central Florida, affluent to good economy, the drug deaths are now topping homicides as a cause of death in our area. That is why I believe this particular problem is so important to me.

It is not just central Florida where we have a problem. A recent DEA report says that close to 4,000 Americans have died in each of the last 3 years from heroin-related overdoses. We are seeing more and more deaths as a result of high purity, high quality heroin that is coming into the United States.

Additional statistics should alarm every Member of Congress and every American. More than 6 percent of the population over 12 years of age, 13.9 million people have used drugs within the past 30 days, according to official estimates. Rates of use remain highest among persons age 16 to 25.

What is so devastating about the headline that I held up, the heroin deaths in my area, the drug-related deaths is, most of these are our young people, young teenagers in many instances who find themselves the victims of deadly drug overdoses. This age group is the most affected by the drugs that we see on the street. In fact, in our young teenagers, an astounding fact in the last 6 years, there has been an 875 percent increase in heroin use by teenagers, young people, again victims of high quality heroin and higher amounts of heroin being imported and transited into this country.

The use of crack cocaine and powder cocaine rose gradually in the 1990s as young people's views of how dangerous they were began to erode. In general, crack use continues to show an upward drift in the lower grades. Again, these are among school children in 1998. And this is another disturbing trend we see again in a very young group of vulnerable Americans.

The combination of low price and high quality has helped drive the number of heroin users in the United States from 600,000 to 810,000 in the past 3 years. This is according to the Office of National Drug Control Policy, and this is just a recent release of these statistics. Over 210,000 additional heroin users in the United States in just a short period of time.

The Office of National Drug Control Policy also estimates that 59 percent of the estimated 176 tons of South American cocaine processed in 1998 was smuggled into the United States through Mexico. Mexico, in fact, is the leading smuggler of heroin, methamphetamine, and the base ingredient for methamphetamine, as well as other drugs coming into the United States.

We know where heroin is coming from. We know where cocaine is coming from. We know where methamphetamine is coming from. That is why I was saddened and disappointed in this administration in, again, certifying the country of Mexico as fully cooperating with the United States in eliminating illegal narcotic production and trafficking when the facts are that Mexico is producing more heroin than it has ever produced. That is also according to our DEA, our Drug Enforcement Agency.

Additionally, not only are they producing more heroin, more hard drugs, more heroin and more cocaine are transiting through Mexico in the United States than any other country. In fact, it is estimated that between 60 and 70 percent of all the hard narcotics that enter the United States transit through Mexico today. That is an alarming fact.

What is even more disturbing is that, even given these facts, the administration again has certified Mexico as fully cooperating with the United States in trying to stop trafficking and transit and production of drugs, as is a simple request in the law that was passed by this Congress in 1986.

Now some people would give Mexico the benefit of the doubt in this situation. I chaired a subcommittee hearing recently, and we had in before our subcommittee the DEA administrator Tom Constantine. Tom Constantine testified in our hearing, and he also testified in the other body, and this is what he stated. He stated the corruption among Mexican anti-drug authority was, and let me quote his exact words, ''unparalleled with anything I have seen in 39 years of police work.''

He added that the Mexican Cartel spends $6 billion a year to bribe Mexican government officials. That is more than one-third of the total U.S. anti-drug budget. Now that is they spend $6 million to bribe Mexican officials.

So is Mexico fully cooperating when our chief drug enforcement officer for the Nation says he has never seen such corruption in nearly four decades of police work? Additionally, the incredible amount of money that is being spent for bribes and corruptions.

What disturbs me after the testimony that I heard from Director Constantine was that Mexico has not only been involved in corruption, and that is from the lowest level, the policeman on the street, to the highest level in the former president's office, what has taken place now is narcoterrorism in its embryonic stages.

What I mean here is that complete areas of Mexico have been taken over by narcotraffickers. We know that as a matter of fact. We have testimony that says that the Baja Peninsula, the entire western portion of Mexico, south of the United States and California, is now run by one of the drug cartels, completely controlled, completely corrupt, not only corruption where they have been bribing officials, but now a corruption far beyond that that deals with narcoterrorism, patterns that we have seen in Colombia and other areas where narcoterrorists have taken over.

What they have done should scare every Mexican citizen, should scare every citizen of the United States. Just a few months ago, they lined up 22 individuals, women and children, and they were brutally slain. They have also taken police officers and slain them, propped them up in police cars, to use as an example.

So this fear and intimidation in the Baja Peninsula is an example of a country losing control of an entire state and entire region and again should be a tremendous concern to we who share a 2,000 mile border.

In addition to losing the Baja Peninsula, we have been told that the Yucatan Peninsula has also been taken over by narcoterrorists, that the government of that state, that Mexican state is totally corrupt, and also under the control of international Mexican drug dealers.

It is rather sad and it is rather ironic that the President of the United States would go to Mexico, offer Mexico additional financial assistance, additional foreign aid from the United States, and additional benefits in trade and other assistance of a good neighbor, international finance help, when we have, again, a country which is totally consumed by this narcotrafficking.

Ironically, the conference between President Zedillo and the President of the United States and others in that delegation was held in Merida, which is the principal city of the Yucatan Peninsula. In addition to those areas, other areas were told of Mexico. In the mountains to the south and west of Mexico City and entire states and regions are now controlled in a corrupt and terrorist fashion by narco- terrorists.

Again our DEA, administration, other international observers, and press accounts document that Mexico is a country on the edge of being lost.

□ 1615

How important is it that we get this situation under control? It is absolutely vital, because, again, we know exactly where the illegal narcotics are coming from. They are being both produced now in Mexico, again larger quantities of heroin being produced there, methamphetamine originating from Mexico and coming into the United States, transiting into the United States.

How are they transiting into the United States? Through open commercial borders. And how did that take place? Through the United States extending a trade benefit to the country of Mexico through NAFTA, through other trade agreements, to be a good open trading partner.

So in our effort to extend trade assistance and trade benefits to the country lying to the south of us, we are now seeing a dramatic increase, again with an open, nearly open commercial border, of hard illegal narcotics into the United States. Now, what do we get in return? We get in return a flow of drugs across the borders that is unparalleled in the history of the United States.

Now, we have tried our best to be good partners with our neighbor, Mexico. Two years ago this Congress took up a resolution of decertification and, rather than decertify Mexico, we outlined about six agenda items that we would like Mexico to assist us with as, again, good partners. Having given them incredible finance benefits, bailing them out; having given them trade benefits that I have talked about, opening our commercial borders, we asked for a little bit of help in what we could see as a tide of illegal narcotics comes into our country. We outlined on this floor of the House of Representatives six simple requests and asked Mexico to assist with those items.

Let me repeat some of those items, and, again, all passed by the House of Representatives some 2 years ago this month.

First, we asked Mexico to allow our agents to protect themselves. Our DEA agents, our drug enforcement agents, in Mexico, to protect themselves. And also to authorize appropriate privileges and immunities for such agents. That is part of the language here.

What have they done? Actually, they put a cap on the number of agents. Did they cooperate? When we found one of the most incredible scandals of money laundering and corruption that we have ever uncovered in the international scene in Mexico, with Mexican banking officials, did Mexico cooperate with the United States in trying to bring these corrupt Mexican bankers to justice? No. What they did should be offensive to every Member of Congress, everyone in our Federal law enforcement agencies. They threatened to indict our customs officials who uncovered this corruption.

So was anything paid attention to by Mexico on the first item that we asked for some 2 years ago? Absolutely no. Actually, they took offensive action against the United States. They did not fully cooperate. In fact, they tried to block and penalize those involved in the investigation.

We also asked Mexico to root out corruption and also to extradite major drug traffickers.

Now, here we are, in March of 1999, and what has Mexico done with our second request, which was to extradite major drug traffickers? Not one major drug trafficker has been extradited from Mexico to the United States. Not one Mexican national to this day. So the second item of request, and a very specific item that this Congress asked of Mexico, has not been adhered to or met in any way by Mexico.

The third request, and, again, let me take these right out of the resolution that was passed here in the House, we asked for assistance in securing a maritime agreement, a simple maritime

agreement that would allow us to go after drug traffickers who were on the high seas and also in waters as Mexican nationals.

To date, we have not had a maritime agreement signed with the country of Mexico. To my knowledge, there is only one other country in the entire region that has not signed a maritime agreement with the United States, and that is Haiti.

And that is another sad example of a failure of this administration, which spent millions of dollars trying to build up the judicial system and the institutions in Haiti. Actually, we spent billions. And those dollars have been wasted, because there still is total disorganization in the Haitian government. There is corruption. It also has turned into a major drug trafficking area, and they have not even been able to seat a parliament to sign or agree on a maritime agreement.

But, again, back to Mexico, we have a situation where, after repeated requests, Mexico still has not signed a maritime agreement to help us with international narcotics trafficking.

Additionally, we asked in this resolution that Mexico assist with locating radar to the south. That is a simple request, because we know drugs transiting and trafficking through Mexico are coming in through the peninsula and it is a simple request to have them assist us by locating radar in the south. Have they done that? No, once again.

Additionally, we asked them to crack down on corruption. And we have done everything we can to ask them to go after officials at the highest level and the lowest level in Mexico who are involved in illegal narcotics trafficking.

And what are the comments that we get back? Again, I would defer to our chief drug enforcement agent when he says that he has never seen a situation in four decades so rife with corruption, a situation where it is almost impossible to trust any agency, where there is only a handful of people that will assist in any way in the country.

So these are the requests that the United States Congress made of Mexico some 2 years ago, asking them to assist us. Even the other body passed a resolution asking that Mexico assist the United States. To date, we have not had a satisfactory response from Mexico in this regard.

At this juncture we are at an important point in our deliberations, as far as the United States House of Representatives is concerned, as to what we do to get Mexico to comply. I personally would not like to have to decertify Mexico, however, a resolution has been introduced in the House of Representatives by the gentleman from Alabama (Mr. BACHUS), and he has been joined by others, and there are more and more folks in the House that would like to decertify Mexico.

We held a hearing last week and asked the General Accounting Office to report to the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform about the situation in Mexico. We asked the GAO to give us the straight scoop, to tell us what is going on in Mexico. Do they deserve certification; are they cooperating? The GAO testified and summarized some of the problems with Mexico, and let me read them for the RECORD.

Number one. Mexico is one of the largest centers for narcotics-related business in the world.

Number two. Mexico is still the principal transit country for cocaine entering the United States.

Number three. Mexico is either a producer, refiner, or transit point for cocaine, marijuana, methamphetamine and heroin.

Number four. Mexico is a major hub for the recycling of drug proceeds.

Number five. Mexico's Juarez drug trafficking organization is as powerful and as dangerous as Colombia's Medellin and Calais cartels used to be.

Number six. Mexico's poorest border and the dawning volume of legitimate cross-border traffic provides nearly limitless opportunities for the smuggling of illicit drugs and the proceeds of sales of these drugs.

And the seventh item that GAO covered in reviewing what is taking place is that several years ago the United States gave 72 Hughey helicopters and four C-26 aircraft for narcotics operations, as a good neighbor, as a friend, to try to get Mexico to use these in going after trafficking and eradication of the crops there. Unfortunately, Mexico has not provided the resources to keep these helicopters and aircraft flying, even after a promise of using them in the future, which they have not done and not made an effort.

So here we have the testimony from the General Accounting Office of the United States which documents very clearly all the points that I have made previously in analyzing whether or not Mexico is fully cooperating with the United States to do two things, one, to stop the production of illegal narcotics and, two, to stop the transiting, and those are really the cornerstones of the certification law.

Many folks do not understand, even those in Congress do not understand, the certification law. The certification law is quite simple. It asks those two things: stop producing drugs; stop transiting in drugs. The Department of State and the President must certify to the Congress that a country is, and the term is, ''cooperating fully'' to do those two things.

Now, what do they get in return if they cooperate fully? They are certified as ''fully cooperating'' and then are eligible for United States foreign assistance. So what they get in return for being certified that they are ''fully cooperating'' is United States foreign assistance in the form of foreign aid, in the form of trade benefits, and in the form of international finance support.

So the question before the Congress in the next few days and few weeks is, as we conduct this investigation, this review of who is helping us in this war on drugs, and particularly the biggest offender, the biggest source of illegal narcotics, is Mexico fully cooperating?

The evidence to date does not lead us to believe that they are fully cooperating. The evidence to date does not lead us to believe that they should be certified as fully cooperating. The evidence is pretty clear to date that Mexico should not receive benefits of the United States government because they are not cooperating, because they are the biggest source of deadly drugs and narcotics coming into the United States across our borders from Mexico.

Again, if we review what we requested 2 years ago from the list of requests, can we say that they have cooperated? The answer is unequivocally no, they have not cooperated with any of these requests. They have not been a good ally. They have not been a good friend.

And the result, as we saw, is devastating: 14,218 Americans died last year as a result of drug-related deaths. Over 100,000 will die. Many more than died in hurricane Mitch, the natural disaster that I spoke of as I began my talk. And they are dying today. They are dying in this city, in Washington, D.C.; they are dying in Orlando, Florida; they are dying in Plano, Texas, and across our great land.

We have a responsibility to our people. We have a responsibility to the laws that we have passed. We must hold these countries accountable. We must find some mechanism to stop drugs at their source, to stop drugs where they are trafficking from, and to make certain that we take this death and destruction off the streets of the United States of America.

As chairman of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, we will continue our review, our investigation, and our oversight of Mexico's cooperation with the United States, and we will find some mechanism to ensure cooperation. We will find some mechanism to stop these illegal narcotics.

☐ 1630

I intend to work with my colleagues on the other side of the Capitol in an effort to see again that we bring this situation under control and that we hold those responsible accountable and that we stop this death and destruction that is at our doorstep, not just in my hometown but throughout our land and throughout our Nation. I will continue to come to the floor every week and discuss this situation as it relates to the national narcotics and drug abuse problem that we have. We will find solutions. Again, I have pledged that. And to work with those on the other side of the aisle to find solutions to this and to my colleagues again down the hall on the other side of the Capitol.

TRANSFER OF NUCLEAR TECHNOLOGY PUTS NATION AT RISK

The SPEAKER pro tempore (Mr. REYNOLDS). Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. ROHRABACHER) is recognized for 30 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Mr. Speaker, I yield to the gentleman from New Mexico.

INTRODUCTION OF RADIATION EXPOSURE COMPENSATION IMPROVEMENT ACT OF 1999

Mr. UDALL of New Mexico. I thank the gentleman from California (Mr. ROHRABACHER) for yielding.

I rise, Mr. Speaker, to introduce the Radiation Exposure Compensation Improvement Act of 1999. There is a companion bill in the other body authored by Senator JEFF BINGAMAN of New Mexico. This bill seeks to compensate uranium miner victims for their losses. It also seeks to compensate the millers and transportation workers who received radiation exposure. The Federal Government was aware of the dangers and yet it allowed thousands of men to be exposed to high levels of radiation, causing death and serious injuries. The Congress has acted once before on this issue, but we did not go far enough. The bill moves us in the right direction. It moves us in a just direction.

Mr. Speaker, for more than 50 years, the U.S. Government has ignored a group of its citizens who are most in need of its attention.

For years, our government asked its citizens in Arizona, Utah, Colorado and new Mexico—many of whom lived on the Navajo Reservation—to serve their country by mining, milling, and transporting uranium.

For 50 years, these citizens did what was asked of them. But slowly, Mr. Speaker, over the years they began to realize that their lives were changing. More and more of them were becoming sick. They were developing respiratory problems. They were developing cancer.

Although the Federal Government had adequate knowledge of the hazards involved in uranium mining, miners were sent into inadequatly ventilated mines with little or no knowledge of the dangers they were being exposed to.

In 1990, Congress realized that something had to be done. So it passed the Radiation Exposure Compensation Act (RECA) to compensate underground miners in several of the states where uranium mining occurred.

Unfortunately, Mr. Speaker, we did not go far enough.

Over the past 9 years, we have learned much more about the effects of radiation on our health and communities.

We know now that exposure to radiation was not limited solely to miners, but to those who milled and transported the ore.

We know now that exposure to uranium is responsible for more medical conditions than originally thought.

And we know now that the devastating effects of exposure to uranium extends far beyond the few states included in the original law.

Mr. Speaker, it is time for us to make things right.

That is why today I introduce the Radiation Exposure Compensation Improvement Act of 1999. This bill has bipartisan support and is co-sponsored by my colleague from New Mexico, Mr. SKEEN.

The credit for this bill belongs to those activists who have dedicated their lives to correcting this injustice. This is a companion bill to legislation introduced in the other body by Mr. BINGAMAN of New Mexico, and co-sponsored by the Democratic leader in that body, Mr. DASCHLE.

First, our legislation expands the geographic area eligible for compensation to include the Navajo Reservation. According to a recent study by the National Cancer Institute, Navajo children in the 1950s found themselves exposed to extremely high levels of radiation during the period of heaviest fallout from the Nevada Test Site.

There are several differences between this legislation and similar legislation introduced in this body during the last Congress.

(1) We include transport workers who may have been exposed to radiation while transporting the uranium away from the mines.

(2) The compensation we provide for the so-called ''downwinders'' includes diseases that were not previously attributed to radiation exposure, and are not included in the House bill. These include salivary, urinary, colon, brain, ovarian and male breast cancer. The RECA improvement bill needs to keep pace with medical knowledge.

(3) We direct the Secretary of Health and Human Services, in consultation with the Secretary of Energy, to report on the known health effects to communities where there were uranium mines and mills. A report on the status and outcomes of reclamation of uranium mines, mills, and mill tailings is required along with recommendations for further action.

(4) Finally, we ask the Secretary of HHS to evaluate access to and quality of diagnostic health services for all affected populations.

Mr. Speaker, this issue belongs to the people. We would not be as far along without the help of many people from throughout the affected areas. I would like to recognize some of those individuals.

J.C. Begay, Delegate to the Navajo Nation Council

Herbert Benally, Churchrock Chapter President

Timothy H. Benally, Sr. Uranium Education Office

Roxanna Bristow, Colorado Uranium Workers Council

Doug Brugge, Ph.D.

Cibola County, New Mexico County Commissioners

Suzan Dawson, Ph.D., University of Utah

Carole Dewey

Leroy Esplain, Office of Navajo Uranium Workers

Anna Frazier, Dine CARE

Curtis Freeman, Utah Uranium Workers Council

John Fowler, Navajo Uranium Millers Radiation Victims

Tom Gregory, Albuquerque Miners and Millers

Phil Harrison, Jr., Navajo Uranium Radiation Victims Committee

Paul Hicks, New Mexico Uranium Workers Council

Al Waconda, Laguna-Acoma Coalition for a Safe Environment

Alexander Thorne, Northern AZ Navajo Downwinders/Radiation Victims

Hazel Merritt, Utah Navajo DownWinders Committee

Tommy Reed, Jr., Post '71 Uranium Miners

The Navajo Nation Council

Melton Martinez, Eastern Navajo Agency & Western States RECA Coalition

Bill Redmond, Former Member of Congress

Liz Lopez-Rall, Mayor of Milan, New Mexico

Paul Robinson, Ph.D., Southwest Research and Information Center

Lloyd Totalita, Governor of Acoma Pueblo

Ron Ortiz, City Councilman, Grants, New Mexico

Gary Madson, Ph.D., University of Utah

Alice May Yazzie, Community Organizer

Ben Shelly, McKinley County, New Mexico County Commissioner

Kevin Martinez, Esq.

Ken Martinez, New Mexico State Legislator

''Mag'' Martinez, Vice President of New Mexico Uranium Workers Council

Bill Snodgrass, Mayor of Grants, New Mexico

Mr. Speaker, this bill to amend the 1990 RECA is the beginning of a long process to remedy these injustices. It corrects omissions in the current law and makes the law consistent with current medical knowledge.

The time for us to act is now. The people of the affected areas deserve no less.

Mr. ROHRABACHER. Mr. Speaker, this week shocking information became available to the American people that cries out for a change in U.S. policy toward Communist China. Some of us have long warned about the deadly transfer of American technology to a government that is the worst human rights abuser in the world. The Communist regime in Beijing has long benefited from a policy that ignores its genocide, its militarism, its abuse of religious believers and its fundamental antagonism toward the Western democracies. Now we find that American technology, developed with billions of U.S. tax dollars during the Cold War, intended to deter nuclear strikes against the United States by the Soviet Communists, that this awesome technology has now made its way into the hands of a regime that hates everything America stands for and is determined to dominate the 21st century.

Specifically, this weekend the American people, through an investigative report by the New York Times, found out that China has made a quantum leap in modernizing its nuclear missile force with the help of American technology and know-how. Beginning last year, I have come to this floor on numerous occasions, perhaps sounding like a bellwether in the night, a warning bell, trying to get people's attention that something dreadful was happening to our national security. I have done my best to alert my colleagues and the American people to the danger that we are now beginning to realize. What we are talking about is a dictatorship that is hostile to the United States, that is militaristic and expansionist in its policies.

The most recent revelation is that this Communist Chinese regime has obtained secrets from the Los Alamos nuclear weapons laboratory that has permitted them to produce miniaturized

nuclear warheads that enables them to deliver a devastating attack against the United States and its allies. The Communist Chinese as a result now have the ability to carry more than one warhead on their rockets and to launch nuclear weapons from submarines and other vessels at every American State and every American city. This is a nightmare. It is almost beyond comprehension. It is a nightmare even more so when we realize that people like myself and others have been trying, have been struggling over these past months, over these past years, to draw attention to the potential danger. And now we find out that not just the Chinese rockets have been upgraded by American aerospace companies, with the acquiescence of this administration, these rockets, their capabilities, and the reliability of those rockets improved by American technology, but now we find out that stolen from us in a sustained and comprehensive espionage effort by the Communist Chinese, they have managed to steal from us the very secrets that will permit them to build nuclear weapons that are of a small enough size to put in those rockets and to be delivered to the United States which might cause the death of tens of millions of Americans.

Mr. and Mrs. America, it does not get much worse than this. The Communist Chinese have had an ongoing and a sustained espionage campaign targeting America's most sensitive weapons technologies. Our country has been put in grave jeopardy. The safety of every man, woman and child in every community in our land has been put at risk. The transfer of American nuclear technology, coupled with the upgrading of Communist Chinese rockets by American aerospace corporations, is the worst betrayal of our country's safety since the Rosenbergs. The New York Times story reported this very point, that it is the worst betrayal since the Rosenbergs. In that New York Times story, this very point was made by the CIA's counterintelligence chief.

It is time for us to wake up. It is time for our outrage to be felt. It is time for us to change our policies before a catastrophe happens. What do we need? Do we need a detonation of a weapons system that was developed by the taxpayers of the United States in a city of the United States by a hostile power before we wake up?

In short, the transfer of weapons technology to the Communist Chinese has been a debacle of historic proportions. This could well shift the balance of power in the world and change history, as well, of course, put millions of Americans at risk. What we have been able to do in the last decade has been based on a very fragile balance of power. We have a rogue nation in Communist China that obviously does not care about the losing of millions of its own citizens. Yet we have tried to engage this very same government entity that controls Communist China, this dictatorial regime. Instead of drawing closer to our allies in the Pacific, we have tried our best to try to draw closer to this Communist regime in the nonsensical belief that the closer you get to tyrants would make them less aggressive and less tyrannical, less abusive. This has demoralized our democratic allies in the Pacific, and it has actually increased the disdain that the Communist Chinese rulers in Beijing have for the people of the United States. The more that our people that represent the United States like Madeleine Albright who was recently in Beijing, the more they go into the Communist Party headquarters in that country and proclaim a belief in human rights and a belief in democracy, yet we are unwilling to do anything to back up those words with deeds in any way, the more disdain they have for us, the more they are committed to wiping out the degenerate Americans who mouth cliches but have no belief in anything. It underscores our weakness to these dictators. Strength of purpose, strength of protecting our own national security interests, strength of protecting the people of the United States who rely on us, these are the things that dictators and militarists understand. They do not understand sincerity and honesty and laying it all out and going through some sort of sensitivity training with these militarists.

Perhaps the most irksome aspect of this whole, and I would say debacle, this whole revelation that our weapons systems that we paid so dearly for during the Cold War to protect our own country, now having been made available and put into the hands of Communist Chinese who hate our way of life, perhaps the most irksome aspect of this is that the Clinton administration has for years downplayed this information and belittled those of us who were trying to counteract this danger. This administration has in fact interfered with investigations and undermined the efforts of patriotic government watchdogs to address this threat.

High level officials told the New York Times that although the White House was fully briefed on the scope of the Communist Chinese espionage aimed at our country, they were briefed on this as early as 1997, that the matter was ignored and even covered up because it would interfere with the Clinton administration's policy of engagement with Communist China.

The chief of intelligence at the Department of Energy, who first discovered the Los Alamos case, this fact that our most sensitive nuclear laboratory had been compromised, he briefed the National Security Council of the Clinton administration and the CIA and he was ordered by senior administration officials not to tell Congress about this grave threat to our security, to the well-being of our people, because critics might use his findings to attack President Clinton's China policy. Well, that is certainly true. While we were complaining that American technology was being used to upgrade Communist Chinese rockets and missiles, while we were complaining that sensitive weapons technology was going into the hands of the world's worst human rights abuser, the Communist Chinese government, yes, we would liked to have known that the espionage of the Chinese Communists had permitted them to get their hands on the technology and the information and know-how they needed to produce miniaturized atomic bombs, and to let my colleagues know the magnitude of this, those miniaturized atomic bombs have the strength and the power of 10 times the power and the nuclear capabilities of the bomb that we dropped on Hiroshima, 10 times that destructive power in these miniaturized weapons. Smaller atomic bombs could then be put on rockets, Communist Chinese rockets that have been increased in their capability and reliability by American technology.

As I say, this is catastrophic. It takes the breath out of one's lungs to consider the magnitude of the words that I am saying and the magnitude of that New York Times report. But that the Clinton administration knew of this and continued its efforts to downplay our attacks on the technology transfer, it is more than wishful thinking. This has got to be more than wishful thinking. It has got to be looked at as insanity, an insane policy.

☐ 1645

This coverup is of critical national security information, so we would not know that the Chinese communists had gotten their hands on these atomic weapon secrets. This coverup is of severe consequence to our country because we in the House of Representatives and in the Senate of the United States have not now been able to do our job and watch out for the interests of our people, which is our job, as well as that of the President.

To put this in perspective, President Clinton has insisted on labeling our relationship with the Communist regime that controls the mainland of China as a strategic partnership. This insistence that they call the Communist Chinese our strategic partners was going on at a time when his administration had been briefed of a espionage effort that had resulted, already resulted, in the Communist Chinese obtaining these nuclear weapon secrets that enable them to put our people in jeopardy. They are insisting on calling it a strategic partnership, and when I asked an administration official what was that all about, it was strategic partnership against whom, there was nothing to say.

Strategic partnership; what does that mean when we have a partnership with a country that is the most oppressive government of the world, the world's worst human rights abuser? Does it mean that we are in partnership against the democratic government of

the Philippines where they now are expanding and trying to take over the Spratly Islands, the islands that are 800 miles off of their shore, but 150 miles off the Philippines? Is anywhere going to end a partnership against Japan? Does it mean we are in a partnership against Taiwan? How about a partnership against Malaysia or Singapore? Does it mean that we are in a partnership against the people of China itself? That we are the partnership with the regime, the dictators, against those people who would struggle for democracy, who would struggle for democracy in China itself? How this administration can use this word and insist on using this phraseology knowing that the Chinese Communist espionage effort had already acquired our atomic secrets, knowing that American companies had gone over and improved the capability of their rockets. Knowing about the repression that is going on there, it is beyond me.

I yield to my colleague.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from California, and he addresses concerns that have been on the minds of the American people in the wake of revelations that we first saw, Mr. Speaker, on the pages of the New York Times, because as my colleague from California (Mr. ROHRABACHER) knows, and indeed, Mr. Speaker, as you full well know, given the culture of this particular town and the way in which certain revelations are sometimes labeled, it almost seems as if on the part of some folks in this town there is a little box that reads: in case of emergency or a public relations meltdown, break glass and say everybody did it and everybody has made mistakes. But let us reiterate for the RECORD from the pages of the New York Times what was reported this weekend.

Quoting now at the Energy Department:

> Officials waited more than a year to act on the FBI's 1997 recommendations to improve securities at the weapons laboratories and restrict the suspect's access to classified information.

And even more tellingly, Mr. Speaker, the article continues, quoting again now:

> The department's Chief of Intelligence who raised the first alarm about the case in 1995 was ordered last year by senior officials not to tell Congress about his findings because critics might use them to attack the administration's China policies.

Mr. ROHRABACHER. Would that be considered coverup?

Mr. HAYWORTH. What it should be considered at the very least is outrageous behavior that sacrifices the legitimate national and security interests of the United States to political designs, and political campaigns and of public relations effort, quite apart from policy indeed, as my colleague from California is aware, and, Mr. Speaker, as you, too, are well aware.

There is a very interesting book that has been published and appeared on the scene entitled Year of the Rat which talks about allegations, allegations that now have been borne out by independent press inquiries that sadly, Mr. Speaker, this administration sought campaign cash not only from American citizens, as is their want under the law under legal circumstances, but apparently sought campaign cash from officials affiliated with the Peoples Liberation Army, so the accounts have been reported.

''Curiouser and curiouser,'' said Alice about such developments, but this is not Wonderland, this is the real world, and the future of American security is at stake.

Mr. ROHRABACHER. To amplify, if I may reclaim for a moment, on that point, and again this is a little bit too horrifying for Americans to comprehend. I mean this is one of those facts that we like not even to think about. We want to turn off the TV and pretend it does not exist. But the fact is that during the last election the top contributor to the President's reelection effort was Bernie Schwartz, who was the head of Loral Corporation, and we now have ample evidence that Loral Corporation was one of the American aerospace firms that helped upgrade the capabilities and reliability of Communist Chinese rockets. Couple that with now this understanding that the espionage effort by the Communist Chinese, which was ongoing, had collected these miniaturized atomic bombs, the ability for the Communist Chinese to make them, this is the most heinous betrayal, and who can think worse?

Mr. HAYWORTH. And, as my colleague I am sure will agree, Mr. Speaker, it is incumbent upon this House, if no one else, especially at the other end of Pennsylvania Avenue, will act as a steward of national security, it is incumbent upon this House, if the White House will not release the findings of the COX Select Committee in its report, it is incumbent upon this House to go into closed session and to vote out that report so that every American can understand the extent to which our security may have been compromised.

Mr. ROHRABACHER. It is beyond belief that we have a report by the COX Select Committee into this ongoing systematic espionage by the Communist Chinese as well as the transfer of technology over the recent years and that that report, the Communist Chinese know what they got from us, our government now knows what they got from us. The only people who do not know are the American people.

And during this time period, as I say, while the American people are being kept in the dark about something that is threatening the lives of their children, and their families, and their communities, this administration continues to call the Communist Chinese our strategic partners. This is beyond, as I say, beyond comprehension.

Then by the way, even after the White House was alerted to the scope and the magnitude of the Chinese nuclear weapons build up and the transfer and the theft of American technology, the White House continued its efforts to loosen the controls of the sale and the other forms of transfer of dual-use weapons technology from American corporations to Communist China.

Just the other day we had a major vote in the Committee on International Relations on this issue, and the administration was proposing what I considered a loophole, and a way for getting more weapons technology. Indeed there was civilian applications for these technologies, but they were clearly weapons-related technologies as well, setting up some sort of a loophole for them to get into China.

And last summer, when President Clinton was in Beijing meeting with Communist Chinese, the Chinese military successfully tested. While he was in Beijing, they tested the first time a motor for their new DF–31 missile, a missile that will enable them to hit the United States with a nuclear attack from the mainland of China. This happened while the President was there. The President was alerted to this, and yet there was no indication that he raised this issue with his hosts.

What are the Communist Chinese to think? We give them these platitudes about human rights, and then we have nothing to back it up, there is no action at all taken to back it up, that we insist on a change in their policy. They must mean we do not believe in that. And then we are there at a time when the President of the United States is there with them, they are conducting a weapons test, making a mockery of his visit, and the President does not have the courage to bring this up? No wonder they hold us in disdain.

I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from California for yielding, and, Mr. Speaker, I would point out the comments of the majority leader in the other body on this Hill, Senator LOTT saying in a televised interview this weekend that in the wake of these revelations concerning China, and technology transfers and espionage in the nuclear field that it is entirely reasonable, prudent and proper for this Congress to reevaluate whether the People's Republic of China should gain admission to the World Trade Organization. Mr. Speaker, what should be understood by the Communist Chinese is that provocative actions carry consequences.

If my friend would indulge me, a personal recollection in my first term. The Counsel General of the Chinese Embassy from Los Angeles paid a visit to Arizona, and he said, paraphrasing: ''We want to be friends.'' And I said to him, ''Good, let us speak as friends.'' It is extremely disturbing to hear the bellicose statements of the Chinese defense minister who threatens our mainland in the wake of a crisis involving Taiwan and Formosa by saying, quote:

We believe the Americans value Los Angeles much more than they value Taiwan.

I asked him, and I would ask all in this body and all within the sound of my voice, especially our friends, Mr. Speaker, from the PRC who may be monitoring this, how else do we interpret those remarks other than a threat?

Mr. ROHRABACHER. Reclaiming my time for a moment, that was clearly a veiled threat, if not an unveiled threat, and what was it made over? Why were they threatening us? They were threatening us because we were standing between them and intimidating the people on Taiwan not to hold free elections. They were involved with an act of aggression upon people who were trying to conduct a free election.

So now we have in the United States, we have a government that has declared the Communist Chinese our strategic partners and continue to do so even after they have made threats to blow up Los Angeles, even after they have conducted aggression in the Spratly Islands and in the South China Sea against the democratic countries and with the knowledge, as we know now from this New York Times report, that the Communist Chinese were in the midst of obtaining sensitive atomic secrets that we had paid for to build their own nuclear weapons and that we and American aerospace companies with the acquiescence of this administration had been, as my colleagues know, upgrading Communist Chinese rockets' reliability, and their effectiveness and their capabilities.

What message are we sending to the Communist Chinese, what message are we sending to our democratic allies? No wonder why the Chinese are becoming more aggressive and disdain the Clinton administration when the Clinton administration tries to warn them about anything. There is nothing that that administration can say that will be taken seriously by these militarists in Beijing when they know that our administration knows about these vile acts and these threats against us.

Mr. HAYWORTH. I would simply add, Mr. Speaker, my colleague, that those who watch around the world, Mr. Speaker, would do well to remember that ours is a constitutional republic with a Chief Executive who is, quite correctly, our commander in chief. But they should understand a lesson that ofttimes escapes them in terms of the nuances of the big picture, and it is this. This Congress constitutionally is charged with oversight. When it comes to our national security, when it comes to the well-being of this American Nation, when it comes to our legitimate concerns overseas, it is this Congress which maintains oversight of the Executive Branch, and those who feel they can inject themselves into the American political system with campaign contributions and other forms of influence and somehow change our policy, while there may be evidence of that occurring sadly, it will change.

The American people deserve nothing less than a government that deals with them honestly and protects them.

Mr. ROHRABACHER. Let me reclaim my time so we know the administration will try to fuzzy this issue by claiming that some of these thefts that we are talking about started during the Reagan years. And let me be very specific when they were making this attempt to cloud this issue.

During Ronald Reagan's term of office I was working in the White House. During that time period there was a strong democracy movement building in Communist China, and, yes, we cooperated with the Communist Chinese in order to split them away from the Russians, a tactic that ended the Cold War. But at the same time we pushed for democracy.

□ 1700

We did not give meaningless platitudes to requests for democracy and human rights, and there was a thriving democracy movement that we thought could well take over China. We thought it was irreversible at the time, and it was not until the massacre at Tiananmen Square that that optimism should have been reversed.

The fact is that we could well have had a democratic country in China by now, but what happened was during those years some of this information the communists were able to steal from us but we realized that the government itself in China may be undermined by the democratic movement there.

There was an excuse for having looser controls at a time when communist China was becoming more democratic. After Tiananmen Square, when they massacred the human rights workers and the democratic movement, there is no excuse as the country, as communist China, slid further into militarism, into tyranny and into hostile positions to the United States of America. So, thus, during the Reagan years, yes, some problems happened, but during the Clinton years, when there was no excuse whatsoever because the democracy movement had been annihilated and in fact the human rights report last year of the Clinton administration noted that there has been a substantial decline in human rights even from last year, which was already on the way down, that there was no excuse for this administration to try to cover up the wrongdoing of that regime and no excuse for them to cover up the threat that that regime was putting itself in to threaten our well-being and our security by upgrading their own military capabilities, especially in their weapons of mass destruction.

So I would hope that my colleagues and the American people are not confused, intentionally confused, by this administration in an attempt to shuck the responsibility and to throw off the responsibility. For the fact that our country has been put in terrible jeopardy, at a time when they knew the facts, when China was becoming more totalitarian, when they had been briefed on this threat, they continued to belittle those of us who were calling attention and sounding the alarm.

THE GREATER MIAMI JEWISH FEDERATION'S SUPER SUNDAY PHONATHON

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute.)

Ms. ROS-LEHTINEN. Mr. Speaker, continuing on its long tradition of service to all of us in the south Florida area, the Greater Miami Jewish Federation will hold its annual super Sunday phonathon this coming weekend, and this charitable event unites volunteers from throughout our area in an effort to raise the funds to provide necessary services to the many needy individuals in south Florida, but it extends even wider, to Israel and 60 other countries throughout the world.

As in past years, hundreds of volunteers will help raise funds that will be destined to programs that will provide free hot meals to poor elderly in our community who otherwise might go hungry. It will also assist youngsters learn more about the Jewish experience through educational programs that it offers. Moreover, Jewish refugees will be assisted with the funds through a resettlement program that aims to help these displaced persons begin a new life free of persecution from their native homelands.

The Greater Miami Jewish Federation of south Florida has become a source of pride and support for all of us in south Florida, but in particular to those who are needy. For decades, it has been the leading community activist organization that has served the less fortunate. The work of this outstanding organization is an example of how the private sector can help the less fortunate in the community at a time of dwindling government resources, and they do so with great effectiveness.

I congratulate the Greater Miami Jewish Federation on its continuing efforts to help the poor in our community and wish them the best of success to all of those involved in this worthwhile event, and I urge all of our south Florida community to come out this super Sunday and become one of the many volunteers helping the Greater Miami Jewish Federation in its very successful phonathon.

TODAY WE HAVE AN ECONOMY THAT IS EXPLODING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 30 minutes.

Mr. SCARBOROUGH. Mr. Speaker, I have got to say, I was running across the road today and coming over to speak in this House Chamber and saw a blizzard outside and one of the people

that I spoke to asked me, they said, what do you think about the groundhog now?

I said, well, I am not real pleased with the groundhog's prediction, and this person suggested that the groundhog that predicted that we would have no more winter should be taken out and shot.

I suggested, though, that maybe we should not be so tough on the groundhog for this faulty prediction as Washington is receiving its toughest winter storm of the year, because of the fact that sometimes in Washington, D.C. politicians and economists are not much better with their predictions.

I remember 4 years ago when we first came up to Washington, D.C. I heard over and over again that this government could not balance its budget and that our plan to restore fiscal responsibility and fiscal sanity to the way that Congress and Washington and the White House ran its business, I heard that we could not get it done.

Let us look at what happened 4 years later. Today we have an economy that is exploding. Some say that it is an economy that is stronger than any American economy ever before, and there are a lot of people that are lining up, taking credit and assigning responsibility to these great economic times.

It is very important that we remember, back over the 4 years, about what we did and what sacrifices we took to make America as strong as it is going into the new millennium.

Mr. Speaker, I remember when I first ran for Congress in 1994 talking about the need of balancing the budget, talking about the need for Americans to have a government that handled their checkbook as well as Americans handled their checkbook at home, because if we have a Federal Government that continued and continued to spend more money than it took in, it would not only damage our credibility here in Washington, it would also damage our children's possibility of pursuing the American dream that we were all able to pursue in our life.

When I first got to Washington, D.C., the deficit was at $300 billion and the debt was approaching $5 trillion. Now, we throw out numbers. Everybody loves throwing out numbers in Washington, D.C., and few people really understand what those numbers mean, but I can say this, what a $300 billion deficit meant was that interest rates were up because the markets were jittery.

I remember getting elected, coming here and talking about how we were going to balance the budget in 7 years, and I remember how the President and the liberals in his administration and the liberals in this House said that balancing the budget was irresponsible and saying that it would destroy the economy.

In fact, they said balancing the budget in 7 years would wreck the United States economy, cause the markets to collapse and cause widespread unemployment and recession.

Let us look just 5 years later and see what our results were. We now have a Dow Jones average that was not at 3900 like it was when we first got here but is now at 9500. We have unemployment rates that are lower than they have been in years and years, and we have an economy that is growing at a faster rate than ever before, and it is all because we were able to discipline ourselves to do what we ask every middle class American to do, and that is spend only as much money as you take in.

So what did Alan Greenspan say back in 1995? He actually came to the Committee on the Budget, chaired by the gentleman from Ohio (Mr. KASICH), and he said if the Republicans are serious about balancing the budget, and if they pass this plan to balance the budget, I will predict that interest rates will drop and the economy will grow at a faster rate than it has since the end of World War II.

That is what the chairman of the Federal Reserve Board said, Alan Greenspan. All the while I love hearing columnists and pundits and pollsters saying, you cannot do it; Washington cannot balance its budget. It sounded like what people said about me when I first ran for Congress 4 years ago. They told me there was no way I could win. Well, I learned then, never say never.

We learned in the budget fight, sometimes you just kind of have to turn off your hearing aid to these pollsters and pundits, because if they were right all along we would have never even tried to balance the budget.

Now, of course, 4 years later everybody is lining up and saying what a great job they did, but it is important for us to remember who was for the balanced budget and who fought it, and what philosophy was underlying those of us who supported the balanced budget plan.

□ 1715

And what philosophy underlies those people that opposed the balanced budget plan? Let us start with the people that were against it. Unfortunately, the administration and the people on the left of this Chamber had a government and had a Congress that they controlled for 40 years, and for 40 years they believed in bigger government, more oppressive taxes, and less freedom for Americans.

In fact, we saw deficits explode well up into $300 billion, and the way they proposed bringing the deficit down was by raising America's taxes. In fact, in 1993, they passed the largest single tax increase in the history of this great republic, and believed that they could not cut government spending. Well, we believed otherwise, and we still believe otherwise, that the Federal Government spends too much of American taxpayers' dollars. But taxes kept exploding. We came in and tried to cut them down; we passed some tax cuts, but all along the administration has fought us and the liberals have fought us time and time again. Now, they say they are for tax cuts, but when push comes to shove, they just will not propose them.

Why is that? It is because at the heart of their philosophy, at the heart of the philosophy that ran Washington for 40 years, they believe that big government is the solution. We believe, Mr. Speaker, that the big hearts of America, that the communities of America, that the families and individuals in America are the ones who should make the decision on how to spend their money.

I remember right after the President left Washington a few weeks ago, he went up to Buffalo, and up in Buffalo, he spoke to a crowd about tax cuts, and he was highly critical of Republicans' plans to cut America's taxes. What the President said I think really, really was insightful and revealing in that it offered us a very small window into his core beliefs regarding government. Because the President has been very good lately engaging in what he calls triangulation, taking Republican issues and trying to make them his own without really doing anything significant on it. But the President said to this crowd in Buffalo, sure, we can do what the Republicans are proposing to do. We could cut your taxes, let you keep more of your money and hope you spend your money wisely. But the President went on to say that this just could not be so because Americans might spend their money irresponsibly.

I think therein lies the difference, therein really is the crux of the problem of big government liberalism. There is this belief that politicians and bureaucrats in Washington, D.C. know how to spend Americans' money better than Americans. There is also a belief that Washington bureaucrats and politicians know how to teach our children better than we do, and there is also a belief that Washington politicians and bureaucrats know how to run our communities better than we do.

Mr. Speaker, this is a philosophy of the past. In much the same way that socialism has collapsed across the globe throughout the latter half of the 20th century, I believe that this more refined American version of socialism that started some time back will soon collapse as we enter the new millennium. Why? Because we are a Nation of individuals. We have always been a Nation of individuals, and in this new generation and this new millennium that we are about to enter, the technologies that are going to free us will make us more individualistic and make us more free, and make us less reliant on an oppressive, centralized State.

It is about freedom. It is about the freedom of Americans to work as hard as they want to work without the fear of being punished by Washington, D.C. It is about the belief that Americans can school their children the way they want to school their children, without bureaucrats in the Department of Education coming in and oppressing them. It is about the belief that in America,

a young entrepreneur can still start with $5,000 in his garage and begin a company that grows into a huge organization like Microsoft.

Only in America can that still happen.

Unfortunately, only in America do we find a Federal Government that is so opposed to this entrepreneurial spirit. Why, the Justice Department has been hammering against Microsoft over the past months and years, because Microsoft works. Just like capital gains taxes continue to go up, because these people who are the most productive are the ones that our Federal Government punishes.

My gosh, ask anybody in Seattle, Washington what this little start-up company that started with 2 men and $5,000 in a garage has meant to the economy, not only of the Pacific Northwest, not only of America, but of the world. And yet all they get is harassment from the Federal Government and a Justice Department that should be spending more time looking at how the Chinese influenced the 1996 presidential elections than how one or two young men's dreams created a company and a force that has literally changed western civilization and eastern civilization.

But only in America. Only in America do we say to people that dare to go out and work hard, if you work hard, we are going to tax you hard. And if you work harder, and if you create more jobs and more opportunity and more wealth and more hope for all Americans, we are going to punish you more. You are going to pay more in capital gains taxes. And heaven forbid, if you are a mother and a father that starts a mom and pop store, or own a farm, you get your hands down in the dirt everyday and work hard every single day of your adult life, with the hopes of one day passing this dream on to your children, in America we say, good for you, just do not die. Because when you die, we are going to tax you 55 percent on all of your property, on all of your property that we have already taxed 8 or 9 times while you were alive, and we will make it impossible for your children to take your family business and to take your family farm and to support themselves and to support their children.

That does not make sense. The death tax does not make sense, Mr. Speaker. The capital gains tax that punishes creativity and punishes job growth does not make sense. Mr. Speaker, something else that does not make sense is a tax system that makes middle class American families making between $40,000 and $60,000 pay 28 percent of their income to the Federal Government. I have no idea why we cannot move that bracket up to have people making from $40,000 to $65,000 pay in a tax bracket of 15 percent. How much money will be lost to the Federal Government that it cannot do without? How much money of hard-working Americans does the Federal Government need to continue to grow its operations? How much more money are we going to raise in taxes from the sweat and the toil of middle class Americans?

Mr. Speaker, I hear the tired, worn-out arguments of class warfare every single week that I take to this House floor, and I know this. I know the simple truth of Abraham Lincoln that one cannot punish the wage-maker without hurting the wage-earner. But that is what our government does.

I also know that we cannot continue to allow this Federal Government to grow and grow and grow without destroying the economy. We have learned the lessons of 1995 and 1996 to find ourselves in 1999 with an exploding economy. Sure, cutting taxes helps the economy grow, but cutting government spending also helps the economy grow, and we have learned that lesson. And to hear people take to the floor from the extreme left talking about the spade of new government programs they want to start to help Americans makes one scratch one's head and wonder, where have they been the past 4 years? Because they had a chance for 40 years to balance the budget and they did not do it. They had their chance in 1995 to help conservatives balance the budget. They did not do it. They had the chance in 1996 to climb on board and help us balance the budget. They did not do it. And they have a chance in 1999 to help us stay on the road, to stay within the budget caps, to balance the budget. The question is, will they do it?

Mr. Speaker, I hope they will, but I have to say, the past 40 years does not offer us much hope.

Mr. Speaker, I recall coming here, being shown this wonderful House Chamber by a Member of the House, and he took out his voting card and it has a picture, the voting card has a picture on it and you slip it in the back of one of these seats and one's vote is automatically recorded. And he showed it to me and he says, Joe, this is our $5 trillion credit card. And he laughed a little laugh, as did I.

Mr. Speaker, if we think about it, it is not really that funny, because that $5 trillion, now $5.4 trillion that this government has spent into the red is $5.4 trillion that we borrowed from our children and from our children's children. We are now told that if we are responsible; in fact, the CBO, the Congressional Budget Office says if we do nothing but be responsible and live by the Balanced Budget Act, we will see the end of that $5 trillion debt in the next 15 years.

Mr. Speaker, that is something worth fighting for. Certainly something that provides hope not only to my 2 boys in Pensacola, Florida, but to children across this country, to parents that hope for a better life, and for immigrants that come from other shores coming to America. That city that Ronald Reagan talked about shining brightly on the HILL for all the world to see, that is the hope. If only we in this House and Members in the Senate and people in the administration understand that we gave our word in 1997 with the Balanced Budget Act, and now is not the time, nor is it the place, for us to break our word.

□ 1730

If we spend one cent more than we promised to spend in 1997, that is one cent too much, because that is a violation of our word to the American people, and most importantly, to ourselves.

Mr. Speaker, I believe that we in Washington can get by on less so Americans can get by with more. I believe, like Thomas Jefferson, that the government that governs least governs best. I believe, in the words of James Madison, that we have staked the entire future of the American civilization, not upon the power of government but upon the power of the American people.

It is time for us to renew our vow and our pledge, not only to the Balanced Budget Act of 1997, but to the vision and the wisdom and the courage of the George Washingtons and the Thomas Jeffersons and the Ben Franklins and the James Madisons, and to those great patriots that fought so fiercely for all Americans' liberties over 222 years ago.

Mr. Speaker, if we are true to our word and true to their memory, then I know that the next century will also be the next great American century.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–46) on the resolution (H. Res. 100) providing for consideration of the bill (H.R. 800) to provide for education flexibility partnerships, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BILBRAY (at the request of Mr. ARMEY) for today, on account of personal reasons.

Mr. DIXON (at the request of Mr. GEPHARDT) for today through March 11, on account of official travel.

Mrs. MALONEY of New York (at the request of Mr. GEPHARDT) for today, on account of bad weather.

Mr. REYES (at the request of Mr. GEPHARDT) for today through March 11, on account of official business.

Ms. SANCHEZ (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. THOMPSON of Mississippi (at the request of Mr. GEPHARDT) for today, on account of bad weather.

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. NORTON) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. NADLER, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. ARMEY, for 5 minutes, on March 10.

Mr. JONES of North Carolina, for 5 minutes, on March 15.

Mr. MILLER of Florida, for 5 minutes, today.

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, on March 10.

Mr. YOUNG of Florida, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 10, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

942. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Department's report entitled ''Country Reports on Human Rights Practices for 1998,'' pursuant to 22 U.S.C. 2151n(d); to the Committee on Appropriations.

943. A letter from the President and Chairman, Export-Import Bank, transmitting a statement with respect to transactions involving U.S. exports to various overseas entities, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

944. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Consumer Information Regulations; Utility Vehicle Label [Docket No. NHTSA–98–3381, Notice 2] (RIN: 2127–AG53) received March 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

945. 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 March 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

946. A letter from the Secretary of Commerce, transmitting a report about grants authorized by the Anadromous Fish Conservation Act of 1965; to the Committee on Resources.

947. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule—Motion to Reopen: Suspension of Deportation and Cancellation of Removal [EOIR No. 121F; AG ORDER No.] (RIN: 1125–AA23) received March 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

948. A letter from the Register of Copyrights, Library of Congress, transmitting a schedule of proposed new copyright fees and the accompanying analysis; to the Committee on the Judiciary.

949. A letter from the Secretary, Department of Commerce, transmitting the 1998 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology (NIST), pursuant to Public Law 100—418, section 5131(b) (102 Stat. 1443); to the Committee on Science.

950. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Establishment of the San Francisco Bay Viticultural Area and the Realignment of the Boundary of the Central Coast Viticultural Area (97–242) [T.D. ATF–407; Re: Notice No. 856] (RIN: 1512–AA07) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

951. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Procedures for the Issuance, Denial, and Revocation of Certificates of Label Approval, Certificates of Exemption From Label Approval, and Distinctive Liquor Bottle Approvals (93F–029P) [TD ATF–406 Re: Notice No. 815 and Notice No. 819] (RIN: 1512–AB34) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

952. A letter from the Assistant Secretary for Children and Families, Department of Health and Human Services, transmitting the Department's final rule—Child Support Enforcement Program; State Plan Approval and Grant Procedures, State Plan Requirements, Standards for Program Operations, Federal Financial Participation Audit and Penalty (RIN: 0970–AB81) received February 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

953. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of intent to obligate funds for an additional program proposal for purposes of Nonproliferation and Disarmament Fund activities; jointly to the Committees on Appropriations and International Relations.

954. A letter from the Director, Congressional Budget Office, transmitting a paper that reviews the activities of the Congressional Budget Office during 1998; jointly to the Committees on Rules and the Budget.

955. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs: Reporting Outcome and Assessment Information Set (OASIS) Data as Part of the Conditions of Participation for Home Health Agencies [HCFA–3006–IFC] (RIN: 0938–AJ10) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

956. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs: Comprehensive Assessment and Use of the OASIS as Part of the Conditions of Participation for Home Health Agencies [HCFA–3007–F] (RIN: 0938–AJ11) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

957. A letter from the Secretary of Health and Human Services, transmitting a study and Report to Congress on the effectiveness and appropriateness of current mechanisms for surveying and certifying renal dialysis facilities for compliance with the Medicare conditions and requirements of section 1881(b) of the Social Security Act; jointly to the Committees on Ways and Means and Commerce.

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. GEKAS: Committee on the Judiciary. H.R. 808. A bill to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; with amendments (Rept. 106–45). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 100. Resolution providing for consideration of the bill (H.R. 800) to provide for education flexibility partnerships (Rept. 106–46). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FORBES:

H.R. 1030. A bill to establish a commission to study the airline industry and to recommend policies to ensure consumer information and choice; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Washington:

H.R. 1031. A bill to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to take certain actions to protect the White Bluffs, located on the Columbia River in the State of Washington; to the Committee on Resources.

By Mr. BARR of Georgia (for himself, Mr. DELAY, Mr. BOUCHER, Mr. YOUNG of Alaska, Mr. GOODE, Mr. COLLINS, Mr. BARCIA, Mr. SESSIONS, Mr. BURTON of Indiana, Mrs. EMERSON, Mr. PICKERING, Mr. BASS, Mr. SWEENEY, Mr. BLUNT, Mr. HALL of Texas, Mr. NORWOOD, Mr. CHAMBLISS, Mr. ISAKSON, Mrs. CHENOWETH, Mr. HAYWORTH, Mr. SKEEN, Mr. STEARNS, Mr. LATHAM, Mr. WATKINS, Mr. LINDER, Mr. TANCREDO, and Mr. HEFLEY):

H.R. 1032. A bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others; to the Committee on the Judiciary.

By Mr. BEREUTER (for himself, Mr. BLUMENAUER, Mr. HILL of Montana, Mr. POMEROY, and Mr. BACHUS):

H.R. 1033. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the LEWIS and Clark Expedition, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BLILEY (for himself and Mr. SCOTT):

H.R. 1034. A bill to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of

the United States for purposes of title 46, United States Code, and the other maritime laws of the United States; to the Committee on Transportation and Infrastructure.

By Mr. BOEHLERT (for himself, Mr. BORSKI, Mr. BAKER, Mr. DEFAZIO, Mr. HORN, Mr. NADLER, Mr. BASS, Mrs. TAUSCHER, Mrs. KELLY, Mr. LATOURETTE, Mr. QUINN, Mr. GILCHREST, Mrs. MORELLA, and Mr. GILMAN):

H.R. 1035. A bill to direct the Secretary of Transportation to carry out a pilot program to promote the use of inherently low-emission vehicles at airports and to promote the construction of infrastructure facilities to accommodate such vehicles; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. GEORGE MILLER of California, Mr. FARR of California, Ms. ESHOO, Ms. PELOSI, Mr. WAXMAN, Mr. HINCHEY, Mr. PALLONE, Mr. DEFAZIO, Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Ms. LOFGREN, Mr. FILNER, Mr. BERMAN, Mr. MATSUI, Mr. MARTINEZ, Mr. SHERMAN, Mr. THOMPSON of California, Mr. LANTOS, Mr. STARK, Ms. LEE, Mr. BILBRAY, Ms. WATERS, Mr. DIXON, Ms. RIVERS, Mr. BLUMENAUER, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. UNDERWOOD):

H.R. 1036. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on submerged land of the Outer Continental Shelf that is adjacent to a coastal State that has declared a moratorium on such activity, and for other purposes; to the Committee on Resources.

By Ms. DEGETTE (for herself, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Mr. ENGEL, Mrs. MALONEY of New York, Mr. UNDERWOOD, Mrs. TAUSCHER, Mr. TOWNS, Ms. CARSON, Mr. BLUMENAUER, Ms. LOFGREN, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Ms. KILPATRICK, Mr. BARRETT of Wisconsin, Mrs. JONES of Ohio, Ms. PELOSI, Mr. WEINER, Mr. NADLER, Mr. PASCRELL, Mr. MCGOVERN, Mr. WEXLER, Mr. WAXMAN, and Ms. NORTON):

H.R. 1037. A bill to ban the importation of large capacity ammunition feeding devices, and to extend the ban on transferring such devices to those that were manufactured before the ban became law; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey:

H.R. 1038. A bill to establish a regional investments for national growth program to identify and fund metropolitan regional transportation projects that are essential to the national economy but exceed State and regional financial capacity; to the Committee on Transportation and Infrastructure.

By Mr. SAM JOHNSON of Texas (for himself, Mr. LEVIN, Mr. RAMSTAD, Mr. ENGLISH, Mr. HOUGHTON, Mr. MCNULTY, Ms. DUNN, Mr. HULSHOF, Mr. FOLEY, Mr. KLECZKA, Mr. CUNNINGHAM, Mr. LUTHER, Mr. SHOWS, Mr. PRICE of North Carolina, Mr. FROST, Mr. DOOLEY of California, Mr. MEEHAN, Mr. TALENT, Ms. LOFGREN, Mr. SHERMAN, Ms. KAPTUR, Mr. CONYERS, Mr. GOSS, Mr. COBURN, Ms. PRYCE of Ohio, Mr. BENTSEN, Mr. HOSTETTLER, Mr. CROWLEY, Mr. SANDLIN, Mrs. CAPPS, and Mr. PAUL):

H.R. 1039. A bill to amend the Internal Revenue Code of 1986 to provide for a medical innovation tax credit for clinical testing research expenses attributable to academic medical centers and other qualified hospital research organizations; to the Committee on Ways and Means.

By Mr. ARMEY (for himself, Mr. GOODLING, Mr. SMITH of Michigan, Mrs. CHENOWETH, Mr. NORWOOD, and Mr. HALL of Texas):

H.R. 1040. A bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Ways and Means, and in addition to the Committee on Rules, 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. LARGENT (for himself, Mr. HALL of Texas, Mr. ADERHOLT, Mr. ARMEY, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BILIRAKIS, Mr. BILBRAY, Mr. BLILEY, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMPBELL, Mr. CANNON, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CUNNINGHAM, Mr. COOK, Mr. COOKSEY, Mr. COX, Mrs. CUBIN, Mr. DEAL of Georgia, Mr. DELAY, Mr. DICKEY, Mr. DOOLITTLE, Mr. DUNCAN, Ms. DUNN, Mrs. EMERSON, Mr. ENGLISH, Mr. EHRLICH, Mr. FOLEY, Mr. FORBES, Mr. FOSSELLA, Mrs. FOWLER, Mr. GOODE, Mr. GOODLATTE, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. HASTINGS of Washington, Mr. HEFLEY, Mr. HILL of Montana, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISTOOK, Mr. JONES of North Carolina, Mr. KASICH, Mr. LATHAM, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. MANZULLO, Mr. MCCRERY, Mr. MCCOLLUM, Mr. MCINTYRE, Mr. MICA, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEY, Mr. NORWOOD, Mr. PACKARD, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Ms. PRYCE of Ohio, Mr. RADANOVICH, Mr. RILEY, Mr. ROYCE, Mr. SALMON, Mr. SANFORD, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SESSIONS, Mr. SHADEGG, Mr. SMITH of New Jersey, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STUMP, Mr. SUNUNU, Mr. TANCREDO, Mr. TAUZIN, Mr. THUNE, Mr. TIAHRT, Mr. TOOMEY, Mr. TRAFICANT, Mr. WAMP, Mr. WELDON of Florida, Mr. WICKER, and Mr. YOUNG of Alaska):

H.R. 1041. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. LATHAM (for himself, Mr. FOLEY, and Mr. RILEY):

H.R. 1042. A bill to amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances; to the Committee on Commerce, 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. NADLER (for himself and Ms. PELOSI):

H.R. 1043. A bill to amend title II of the Social Security Act to strengthen the Social Security system to meet the challenges of the next century; to the Committee on Ways and Means.

By Mr. NUSSLE (for himself, Mr. TANNER, Mr. BARRETT of Nebraska, and Mr. MINGE):

H.R. 1044. A bill to amend the Internal Revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico (for himself and Mr. SKEEN):

H.R. 1045. A bill to amend the Radiation Exposure Compensation Act to provide for partial restitution to individuals who worked in uranium mines, mills, or transport which provided uranium for the use and benefit of the United States Government, and for other purposes; to the Committee on the Judiciary.

By Mr. WATKINS:

H.R. 1046. A bill to amend title XVIII of the Social Security Act to provide reimbursement under the Medicare Program for all physicians' services furnished by doctors of chiropractic within the scope of their license; to the Committee on Commerce, 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 Mr. THOMAS:

H. Con. Res. 45. A concurrent resolution providing for the use of the catafalque situated in the crypt beneath the rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable Harry A. Blackmun, former Associate Justice of the Supreme Court of the United States; to the Committee on House Administration.

By Mr. CAMPBELL (for himself, Mr. PAYNE, and Mr. CHABOT):

H. Con. Res. 46. A concurrent resolution urging an end of the war between Eritrea and Ethiopia and calling on the United Nations Human Rights Commission and other human rights organizations to investigate human rights abuses in connection with the Eritrean and Ethiopian conflict; to the Committee on International Relations.

By Mr. HOYER (for himself, Mrs. MORELLA, Mr. WYNN, and Mr. MORAN of Virginia):

H. Con. Res. 47. A concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. SALMON:

H. Con. Res. 48. A concurrent resolution authorizing the use of the Capitol Grounds for the opening ceremonies of Sunrayce 99; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Mr. GILMAN, Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. DEUTSCH, Mr. ROHRABACHER, Mr. ROTHMAN, Mr. BURTON of Indiana, Mr. WEXLER, Mr. KENNEDY of Rhode Island, and Mr. SHERMAN):

H. Res. 99. A resolution expressing the sense of the House of Representatives regarding the human rights situation in Cuba; to the Committee on International Relations.

By Mr. THOMAS:

H. Res. 101. A resolution providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. TIAHRT (for himself, Mr. SHOWS, Mr. BLUNT, Mr. BACHUS, Mr. HILL of Montana, Mr. LATHAM, Mr. DEMINT, Mr. SMITH of New Jersey, and Mr. BUYER):

H. Res. 102. A resolution reaffirming the principles of the Programme of Action of the International Conference on Population and Development with respect to the sovereign

rights of countries and the right of voluntary and informed consent in family planning programs; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PICKETT introduced a bill (H.R. 1047) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Norfolk*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of the rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. LUCAS of Kentucky, Mr. TAYLOR of North Carolina, Mr. HOBSON, and Mr. SMITH of Michigan.

H.R. 8: Mr. HYDE, Mr. PAUL, Mr. CALVERT, Mr. TERRY, and Mr. MCINTOSH.

H.R. 14: Mr. FOSSELLA and Mr. BURTON of Indiana.

H.R. 27: Mr. COOKSEY.

H.R. 66: Mr. ENGLISH and Mr. PASTOR.

H.R. 82: Mrs. THURMAN, Mr. WYNN, and Mr. WATTS of Oklahoma.

H.R. 111: Mr. SHIMKUS, Mr. LEWIS of Kentucky, Mr. SMITH of Washington, and Mr. PAYNE.

H.R. 113: Mrs. MORELLA, Mr. GOODLING, Mr. CALVERT, Mr. SMITH of Washington, Mr. LUCAS of Oklahoma, Mr. BURTON of Indiana, Mr. BRYANT, Mr. MCCOLLUM, and Mr. PETERSON of Pennsylvania.

H.R. 220: Mrs. CHENOWETH and Mr. NETHERCUTT.

H.R. 266: Mrs. LOWEY.

H.R. 347: Mr. PETERSON of Pennsylvania.

H.R. 352: Mr. LAMPSON, Mr. BURTON of Indiana, Mr. GORDON, Mr. THORNBERRY, Mr. DEMINT, Mr. LARGENT, and Mr. HALL of Ohio.

H.R. 357: Mr. DIXON, Mr. LUTHER, Mr. LEVIN, and Mr. HASTINGS of Florida.

H.R. 390: Ms. SLAUGHTER, Mr. LANTOS, Mr. ENGLISH, Mr. DIAZ-BALART, and Mr. SPRATT.

H.R. 430: Ms. DEGETTE, Mr. GUTIERREZ, Mr. DINGELL, Mr. WAXMAN, Mr. OBERSTAR, Mr. HILL of Indiana, Mr. LATOURETTE, Mr. EHRLICH, and Mrs. EMERSON.

H.R. 443: Mr. LIPINSKI, Mrs. CLAYTON, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. MEEHAN, Mr. HYDE, Mr. GUTIERREZ, Ms. DELAURO, Mr. HOBSON, Mr. HORN, and Ms. SCHAKOWSKY.

H.R. 455: Mr. JEFFERSON and Mr. GEJDENSON.

H.R. 472: Mr. GILMAN.

H.R. 483: Mr. RAMSTAD, Ms. SANCHEZ, Mrs. JOHNSON of Connecticut, Mr. GILMAN, Mr. BOEHLERT, and Mr. CAMP.

H.R. 500: Mr. SWEENEY and Mr. WYNN.

H.R. 506: Mr. MCINTYRE and Mr. INSLEE.

H.R. 507: Mr. BALDACCI.

H.R. 516: Ms. DUNN, Mr. CHABOT, Mr. HAYWORTH, Mr. TOOMEY, Mr. LEWIS of Kentucky, and Mr. NORWOOD.

H.R. 530: Mr. SOUDER, Mr. COBLE, Mr. COLLINS, Mr. TOOMEY, Mr. ENGLISH, and Mr. GOSS.

H.R. 531: Mr. DAVIS of Virginia, Mr. WOLF, Mr. GOODE, Mr. MORAN of Virginia, Mr. SCOTT, Mr. BOUCHER, Mr. SISISKY, Mr. HYDE, Mr. WELDON of Pennsylvania, Mr. BLUNT, Mr. FOSSELLA, Mr. MCCOLLUM, Mr. PAUL, Mr. SHOWS, Ms. PRYCE of Ohio, Mr. ROEMER, Mrs. MYRICK, Mr. CUNNINGHAM, Mr. PICKERING, Mr. WATTS of Oklahoma, and Mr. QUINN.

H.R. 534: Mr. BALDACCI.

H.R. 542: Mr. EHRLICH.

H.R. 546: Mr. TIAHRT.

H.R. 555: Mr. JEFFERSON.

H.R. 557: Mrs. NORTHUP.

H.R. 566: Mr. LOBIONDO, Mr. ABERCROMBIE, Mrs. CHRISTENSEN, Mr. REYES, Mr. MALONEY of Connecticut, and Mr. MCGOVERN.

H.R. 576: Mr. SANDLIN and Mr. MCGOVERN.

H.R. 591: Mr. GARY MILLER of California and Mr. DIAZ-BALART.

H.R. 621: Mr. TOOMEY and Mr. WATKINS.

H.R. 625: Mr. SHOWS, Ms. KAPTUR, and Mr. GUTIERREZ.

H.R. 648: Mr. MALONEY of Connecticut.

H.R. 670: Mr. NORWOOD, Mr. LAFALCE, and Ms. CARSON.

H.R. 685: Mr. GOODE.

H.R. 700: Mr. SHAYS, Mr. BEREUTER, Mr. GIBBONS, Mr. NEY, and Mrs. JOHNSON of Connecticut.

H.R. 735: Mr. HOBSON.

H.R. 744: Mr. NUSSLE and Mr. GEJDENSON.

H.R. 749: Mr. BARRETT of Nebraska.

H.R. 761: Mr. PAUL.

H.R. 777: Mr. GREEN of Texas, Ms. RIVERS, Mrs. CHRISTIAN-CHRISTENSEN, Mr. SHOWS, Mr. WYNN, and Mr. FROST.

H.R. 789: Mr. MCNULTY, Mr. KUCINICH, Mr. OXLEY, Mr. FROST, and Mr. WYNN.

H.R. 795: Mr. YOUNG of Alaska and Mr. KILDEE.

H.R. 802: Mr. PETRI and Mr. HILL of Indiana.

H.R. 817: Mr. COOKSEY.

H.R. 832: Mr. JEFFERSON.

H.R. 872: Mr. PASTOR, Ms. DELAURO, Mr. SANDERS, Mrs. THURMAN, Mr. MCGOVERN, and Mr. MARTINEZ.

H.R. 900: Mr. HALL of Texas, Ms. HOOLEY of Oregon, Mr. KUCINICH, Mr. BARRETT of Wisconsin, Ms. KAPTUR, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. GUTIERREZ.

H.R. 904: Mr. SANDLIN and Mr. BARRETT of Wisconsin.

H.R. 914: Mr. ROMERO-BARCELO.

H.R. 933: Ms. WOOLSEY and Ms. VELÁZQUEZ.

H.R. 935: Mr. NORWOOD.

H.R. 936: Mr. NORWOOD.

H.R. 973: Mr. LANTOS.

H.R. 975: Mr. SERRANO, Mr. VENTO, Mr. MOORE, Ms. DEGETTE, Mr. JENKINS, Mr. LATOURETTE, Mr. LOBIONDO, Mr. METCALF, Mr. MICA, Mr. NORWOOD, Mr. GOODE, Mr. SHIMKUS, Mr. SOUDER, Mr. WALSH, Ms. KILPATRICK, Mr. MCGOVERN, Mr. BROWN of California, Mr. BACHUS, Mr. REYES, Mr. HOLT, Mr. LAMPSON, Mr. FORD, Ms. CARSON, Mr. MCINTYRE, Mr. PHELPS, Mr. LEWIS of Georgia, Mr. DIXON, Ms. DANNER, Mrs. THURMAN, Mr. RUSH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT, Mr. HORN, Mrs. JONES of Ohio, Mr. GREEN of Texas, Mr. BALDACCI, Ms. BROWN of Florida, Mr. CALLAHAN, Mrs. CAPPS, Mrs. CHENOWETH, Mr. CLAY, Mr. CLEMENT, Mr. COBURN, Mr. CUMMINGS, Mr. NADLER, Ms. LEE, Mr. GUTIERREZ, Mr. THOMPSON of Mississippi, Mr. WYNN, Mr. HOYER, Mr. SPRATT, Mrs. EMERSON, Mr. INSLEE, Mr. COOK, Mr. KILDEE, Mr. HALL of Ohio, Mr. SKEEN, Mr. SHOWS, Mr. CAPUANO, Mrs. LOWEY, Mr. BARCIA, Ms. NORTON, Ms. VELAZQUEZ, Mr. DAVIS of Illnois, Mr. LAFALCE, Mr. GONZALEZ, Mr. HILL of Indiana, Mr. MINGE, Mr. SMITH of New Jersey, Mr. RANGEL, Ms. SANCHEZ, Mr. TIERNEY, Mrs. TAUSCHER, Mrs. CLAYTON, Mr. SABO, Ms. MCKINNEY, Mr. ENGEL, Mr. GREENWOOD, Mr. KANJORSKI, and Mr. BLUMENAUER.

H.R. 1000: Mr. TERRY.

H.J. Res. 14: Mr. BARR of Georgia, Ms. LOFGREN, Mr. BARRETT of Nebraska, Mr. ENGLISH, Mr. MCKEON, and Mr. OXLEY.

H.J. Res. 21: Mr. GARY MILLER of California, Mr. BALLENGER, and Mr. GIBBONS.

H.J. Res. 33: Mr. SANDLIN, Mr. SHAW, Mr. GARY MILLER of California, Mrs. WILSON, Mr. ADERHOLT, Mr. STUPAK, Mrs. NORTHUP, Mr. MARTINEZ, and Mr. ANDREWS.

H. Con. Res. 10: Mr. BEREUTER, Mr. ANDREWS, and Mr. ISAKSON.

H. Con. Res. 24: Mr. BORSKI, Mr. ROGAN, Mr. BOEHLERT, Mr. HANSEN, Mr. QUINN, Mr. BLILEY, Mrs. CHENOWETH, Mr. LATHAM, Mrs. EMERSON, Mr. FATTAH, Mr. RILEY, Mr. CANNON, Mr. EWING, Mr. EVERETT, Mr. LUCAS of Oklahoma, Mr. TOOMEY, and Mr. RYAN of Wisconsin.

H. Con. Res. 28: Mrs. MYRICK.

H. Con. Res. 29: Mr. GIBBONS, Mr. GOODLING, Mr. FORBES, and Mr. NORWOOD.

H. Con. Res. 31: Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. WEINER, Mr. BROWN of Ohio, Mr. KUCINICH, Mr. SHOWS, Mr. BAIRD, Mr. LUTHER, Ms. MCKINNEY, Mr. ETHERIDGE, Mr. BROWN of California, Mr. MCGOVERN, and Mr. PASTOR.

H. Con. Res. 43: Mr. ENGLISH.

H. Res. 32: Mr. GILMAN.

H. Res. 38: Mr. FATTAH and Mr. DAVIS of Florida.

H. Res. 41: Mr. BARRETT of Nebraska, Mrs. BONO, Ms. BROWN of Florida, Mr. BROWN of California, Mrs. CHRISTIAN-CHRISTENSEN, Mr. CUNNINGHAM, Mr. GRAHAM, Mr. HILL of Indiana, Mr. HINCHEY, Mr. STUMP, Mr. SWEENEY, Mr. DOYLE, Mr. DUNCAN, and Mr. ISTOOK.

H. Res. 79: Ms. KILPATRICK, Mr. PASTOR, and Mr. JEFFERSON.

H. Res. 95: Mr. HOBSON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 800

OFFERED BY: MR. CASTLE

AMENDMENT NO. 2: In section 4(a)(4)(A)(iii) (of H.R. 800, as reported), strike ''or'' and insert ''and''.

In section 4(a) (of H.R. 800, as reported), strike paragraph (5) and insert the following:

''(5) OVERSIGHT AND REPORTING.—

''(A) IN GENERAL.—

''(i) OVERSIGHT.—Each State educational agency participating in the education flexibility program under this section shall annually monitor the activities of local educational agencies and schools receiving waivers under this section. Such monitoring shall include a review of relevant audit, technical assistance, evaluation, and performance reports.

''(ii) REPORTING.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and its impact on the improvement of education programs.

''(B) PERFORMANCE DATA.—

''(i) STATE REPORTING.—Not later than 2 years after a State is designated as an Ed-Flex Partnership State, each such State shall include, as part of their report to the Secretary under clause (ii) of subparagraph (A), performance data demonstrating the degree to which progress has been made toward meeting the objectives outlined in section 3(A)(iii). The report to the Secretary shall, when applicable, include—

''(I) information on the total number of waivers granted, including the number of waivers granted for each type of waiver;

''(II) information describing the types and characteristics of waivers granted and their relationship to the progress of local educational agencies and schools toward meeting their performance objectives; and

''(III) an assurance from State program managers that the data used to measure performance of the education flexibility program under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data.''.

''(ii) SECRETARY REPORT.—The Secretary shall—

''(I) make each State report available to Congress and the general public;

''(II) submit to Congress a report, on a timely basis, that addresses the impact that

the education flexibility program under this section has had with regard to performance objectives described in paragraph (3)(A)(iii).

The Secretary shall include in the report to Congress an assurance that the data used to measure performance of the education flexibility program under this section are complete, reliable, and accurate or a plan for improving the reliability, completeness, and accuracy of such data.''.

H.R. 800

OFFERED BY: MR. CLAY

AMENDMENT NO. 3: In section 4(b) (of H.R. 800, as reported), strike paragraph (5) and insert the following:

(5) Beginning in fiscal year 2000, if a local educational agency participates in the class size reduction program described under section 5 and uses 90 percent of the funds made available under section 6002 of the Elementary and Secondary Education Act of 1965 for such class size reduction program, with the remainder of such funds used to enhance student achievement in accordance with title VI of such Act, the local educational agency may waive the provisions of such title VI without seeking the approval of the Secretary or State, except as provided in subsection (c).

At the end of the bill (H.R. 800, as reported), add the following:

SEC. 5. CLASS SIZE REDUCTION.

(A) ALLOTMENTS.—

(a) WITHIN STATE DISTRIBUTION.—

(1) IN GENERAL.—Each State that makes funds available under Title VI to expend under this section shall distribute the amount of the allotted funds to local educational agencies in the State, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved) for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary schools and secondary schools in the school districts within the boundaries of such agencies.

(2) AWARD RULE.—Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size.

(b) USES OF FUNDS.—Each local educational agency that expends funds under this section shall use such funds to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which research has shown class size reduction is most effective.

(c) CLASS REDUCTION.—

(1) IN GENERAL.—Each such local educational agency may pursue the goal of reducing class size through—

(A) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;

(B) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

(C) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.

(2) RESTRICTION.—A local educational agency may use not more than a total of 15 percent of the funds used under this section for each fiscal year to carry out activities described in subparagraphs (B) and (C) of paragraph (1).

(3) SPECIAL RULE.—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds under this section—

(A) to make further class-size reductions in grades 1 through 3;

(B) to reduce class size in kindergarten or other grades; or

(C) to carry out activities to improve teacher quality, including professional development activities.

(d) SUPPLEMENT NOT SUPPLANT.—A local educational agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(e) PROHIBITION.—No funds expended under this section may be used to increase the salaries of or provide benefits to (other than participation in professional development and enrichment programs) teachers who are, or have been, employed by the local educational agency.

(f) PROFESSIONAL DEVELOPMENT.—If a local educational agency uses funds under this section for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 shall not apply to other activities under this section.

(g) ADMINISTRATIVE EXPENSES.—A local educational agency that expends funds under this section may use not more than 3 percent of such funds for local administrative expenses.

(h) FEDERAL SHARE.—The Federal share of the cost of activities carried out under this section—

(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

(2) shall be no more than 65 percent for local educational agencies with child-poverty rates of less than 50 percent.

(i) LOCAL SHARE.—A local educational agency shall provide the non-Federal share of a project under this section through cash expenditures from non-Federal sources, except that if an agency has allocated funds under section 1113(c) to one or more schoolwide programs under section 1114, it may use those funds for the non-Federal share of activities under this program that benefit those schoolwide programs, to the extent consistent with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

(j) REQUEST FOR FUNDS.—Each local educational agency that desires to expend funds under the provisions section shall include in the application submitted under section 6303 a description of the agency's program under this section to reduce class size by hiring additional highly qualified teachers.

(k) REPORTS.—

(1) STATE REPORTS.—Each State expending funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2).

(2) SCHOOL REPORTS.—Each school expending funds under this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, regarding student achievement that is a result of hiring additional highly qualified teachers and reducing class size.''.

H.R. 800

OFFERED BY: MR. CLAY

AMENDMENT NO. 4: At the end of the bill (H.R. 800, as reported) add the following:

SEC. 5. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

''PART E—CLASS SIZE REDUCTION

''SEC. 6601. SHORT TITLE.

''This part may be cited as the 'Class Size Reduction Act of 1999'.

''SEC. 6602. FINDINGS.

''Congress finds as follows:

''(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

''(2) The benefits of smaller classes are greatest for lower achieving, minority, poor, and inner-city children. One study found that urban fourth-graders in smaller-than-average classes were ¾ of a school year ahead of their counterparts in larger-than-average classes.

''(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to further their children's education.

''(4) Smaller classes allow teachers to identify and work more effectively with students who have learning disabilities and, potentially, can reduce those students' need for special education services in the later grades.

''(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

''(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

''(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

''(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

''(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

''(8) The Federal Government can assist in this effort by providing funding for class-size reductions in grades 1 through 3, and by helping to ensure that the new teachers brought into the classroom are well prepared.

''SEC. 6603. PURPOSE.

''The purpose of this part is to help States and local educational agencies recruit, train, and hire 100,000 additional teachers over a 7-year period in order to—

''(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

''(2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

''SEC. 6604. PROGRAM AUTHORIZED.

''(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated, $1,400,000,000 for fiscal year 2000, $1,500,000,000 for fiscal year 2001, $1,700,000,000 for fiscal year 2002, $1,735,000,000 for fiscal year 2003, $2,300,000,000 for fiscal year 2004, and $2,800,000,000 for fiscal year 2005.

''(b) ALLOTMENTS.—

''(1) IN GENERAL.—From the amount appropriated under subsection (a) for a fiscal year the Secretary—

''(A) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

''(B) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2202(b), whichever percentage is greater, except that such allotments shall be ratably decreased as necessary.

''(2) DEFINITION OF STATE.—In this part the term 'State' means each of the several States of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

''(c) WITHIN STATE DISTRIBUTION.—

''(1) IN GENERAL.—Each State that receives an allotment under this section shall distribute the amount of the allotted funds to local educational agencies in the State, of which—

''(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved) for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

''(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary schools and secondary schools in the school districts within the boundaries of such agencies.

''(2) AWARD RULE.—Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size.

''SEC. 6605. USE OF FUNDS.

''(a) IN GENERAL.—Each local educational agency that receives funds under this part shall use such funds to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which research has shown class size reduction is most effective.

''(b) CLASS REDUCTION.—

''(1) IN GENERAL.—Each such local educational agency may pursue the goal of reducing class size through—

''(A) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;

''(B) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

''(C) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.

''(2) RESTRICTION.—A local educational agency may use not more than a total of 15 percent of the funds received under this part for each of the fiscal years 2000 through 2003 to carry out activities described in subparagraphs (B) and (C) of paragraph (1), and may not use any funds received under this part for fiscal year 2004 or 2005 for those activities.

''(3) SPECIAL RULE.—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds received under this part—

''(A) to make further class-size reductions in grades 1 through 3;

''(B) to reduce class size in kindergarten or other grades; or

''(C) to carry out activities to improve teacher quality, including professional development activities.

''(c) SUPPLEMENT NOT SUPPLANT.—A local educational agency shall use funds under this part only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this part.

''(d) PROHIBITION.—No funds made available under this part may be used to increase the salaries of or provide benefits to (other than participation in professional development and enrichment programs) teachers who are, or have been, employed by the local educational agency.

''(e) PROFESSIONAL DEVELOPMENT.—If a local educational agency uses funds made available under this part for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 shall not apply to other activities under this section.

''(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this part may use not more than 3 percent of such funds for local administrative expenses.

''SEC. 6606. COST-SHARING REQUIREMENT.

(a) FEDERAL SHARE.—The Federal share of the cost of activities carried out under this part—

''(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

''(2) shall be no more than 65 percent for local educational agencies with child-poverty rates of less than 50 percent.

''(b) LOCAL SHARE.—A local educational agency shall provide the non-Federal share of a project under this part through cash expenditures from non-Federal sources, except that if an agency has allocated funds under section 1113(c) to one or more schoolwide programs under section 1114, it may use those funds for the non-Federal share of activities under this program that benefit those schoolwide programs, to the extent consistent with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

''SEC. 6607. REQUEST FOR FUNDS.

''Each local educational agency that desires to receive funds under this part shall include in the application submitted under section 6303 a description of the agency's program under this part to reduce class size by hiring additional highly qualified teachers.

''SEC. 6608. REPORTS.

''(a) STATE.—Each State receiving funds under this part shall report on activities in the State under this section, consistent with section 6202(a)(2).

''(b) SCHOOL.—Each school receiving assistance under this part, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, regarding student achievement that is a result of hiring additional highly qualified teachers and reducing class size.''.

H.R. 800

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 5: Add at the end of the bill the following:

SEC. 5. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

''PART E—CLASS SIZE REDUCTION

''SEC. 6601. SHORT TITLE.

''This part may be cited as the 'Class Size Reduction and Teacher Quality Act of 1999'.

''SEC. 6602. FINDINGS.

''Congress finds as follows:

''(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

''(2) The benefits of smaller classes are greatest for lower achieving, minority, poor, and inner-city children. One study found that urban fourth graders in smaller-than-average classes were ¾ of a school year ahead of their counterparts in larger-than-average classes.

''(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to further their children's education.

''(4) Smaller classes allow teachers to identify and work more effectively with students who have learning disabilities and, potentially, can reduce those students' need for special education services in the later grades.

''(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

''(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

''(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

''(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

''(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

''(8) The Federal Government can assist in this effort by providing funding for class-size reductions in grades 1 through 3, and by helping to ensure that the new teachers brought into the classroom are well prepared.

''SEC. 6603. PURPOSE.

''The purpose of this part is to help States and local educational agencies recruit, train, and hire 100,000 additional teachers over a 7-year period in order to—

''(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

''(2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

''SEC. 6604. PROGRAM AUTHORIZED.

''(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated $1,400,000,000 for fiscal year 2000, $1,500,000,000 for fiscal year 2001, $1,700,000,000 for fiscal year 2002, $1,735,000,000 for fiscal year 2003, $2,300,000,000 for fiscal year 2004, and $2,800,000,000 for fiscal year 2005.

''(b) ALLOTMENTS.—

''(1) IN GENERAL.—From the amount appropriated under subsection (a) for a fiscal year the Secretary—

''(A) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

''(B) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2202(b), whichever percentage is greater, except that such allotments shall be ratably decreased as necessary.

H.R. 800

OFFERED BY: MR. EHLERS

AMENDMENT NO. 6: In section 4(a)(4)(C)(i) (of H.R. 800, as reported), strike ''and'' after the semicolon.

In section 4(a)(4)(C)(ii) (of H.R. 800, as reported), strike the period and insert ''; and''.

After section 4(a)(4)(C)(ii) (of H.R. 800, as reported), insert the following:

(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met.

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 7: At the end of section 4(a)(2)(B) strike the period and insert ''; and''.

After section 4(a)(2)(B) (of H.R. 800, as reported) insert the following:

(C) has a coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education of less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 8: In section 4(a)(3)(A)(iv), strike ''and'' after the semicolon.

In section 4(a)(3)(A)(v)(I), strike the period and insert ''; and''.

After section 4(a)(3)(A)(v)(II), insert the following:

(vi) an assurance that the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

In section 4(a)(3)(B)(iv), strike ''and'' after the semicolon.

In section 4(a)(3)(B)(v), strike the period and insert ''; and''.

After section 4(a)(3)(B)(v), insert the following:

(vi) if the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent as provided in subparagraph (A)(vi).

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 9: In section 4(a)(3)(B)(iv), strike ''and'' after the semicolon.

In section 4(a)(3)(B)(v), strike the period and insert ''; and''.

After section 4(a)(3)(B)(v), insert the following:

(vi) if the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

H.R. 800

OFFERED BY: MR. HOLT

AMENDMENT NO. 10: In section 4(a)(4)(A)(iv) (of H.R. 800, as reported), strike ''and''.

In section 4(a)(4)(A)(v) (of H.R. 800, as reported), strike the period and insert ''; and''.

After subclause (v) of section 4(a)(4)(A) (of H.R. 800, as reported), insert the following:

(vi) if applying for a waiver of section 2206 of the Elementary and Secondary Education Act of 1965, the local education agency's application for such waiver must include a description of how the professional development needs of its teachers in the areas of mathematics and science will be, or are being, met.

H.R. 800

OFFERED BY: MR. KILDEE

AMENDMENT NO. 11: In section 4(c) (of H.R. 800, as reported) after ''Secretary'', insert ''or a State educational agency''.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) requirements under title VI of the Elementary and Secondary Education Act of 1965 unless 75 percent or more of the funds received under such title in fiscal year 2000, and any subsequent fiscal year, are used to reduce class size in accordance with section 307 of the Department of Education Appropriations Act, 1999; and

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT NO. 12: In section 4(a)(2)(A)(i) (of H.R. 800, as reported), strike ''or'' after the semicolon.

In section 4(a)(2)(A)(i) (of H.R. 800, as reported), strike subclause (II) and insert the following:

(II) developed a system to measure the degree of change from one school year to the next in student performance on such assessments;

(III) developed a system under which assessment information is disaggregated by race, ethnicity, sex, English proficiency status, migrant status, and socioeconomic status for the State, each local educational agency, and each school, except that such disaggregation shall not be required in cases in which the number of students in any such group is insufficient to yield statistically reliable information or would reveal the identity of an individual student; and

(IV) established specific, measurable, numerical performance objectives for student achievement, including—

(aa) a definition of performance considered to be satisfactory to the State on the assessment instruments described under subclauses I, II, and III with performance objectives established for all students and for specific student groups, including groups for which data is disaggregated under subclause III; and

(bb) the objective of improving the performance of all groups and narrowing gaps in performance between those groups.

In section 4(a)(2)(A)(ii) (of H.R. 800, as reported) after ''under'' insert ''clause (i)(IV) and''.

In section 4(a)(3)(A)(iii) (of H.R. 800, as reported) after ''plan'' insert ''consistent with paragraph (2)(A)(i)''.

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT NO. 13: At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) limitations on the share of Federal funds that may be used for State and local administration in accordance with section 1111(g) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT NO. 14: At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c)(1) (of H.R. 800, as reported), insert the following:

(I) the qualifications of instructional staff, including staff described in section 1119(i) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT NO. 15: In section 4(c) (of H.R. 800, as reported) after ''Secretary'', insert ''or a State educational agency''.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) the professional development requirements of section 1119 of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT NO. 16: In section 4(c)(1)(G) (of H.R. 800, as reported), after ''civil rights'' insert ''and sex equity''.

H.R. 800

OFFERED BY: MR. PAYNE

AMENDMENT NO. 17: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) The recent report 'Promising Results, Continuing Challenges: The Final Report of the National Assessment of Title I'', issued by the Department of Education, found that the poorest children can be adversely affected by the issuance of waivers as demonstrated by the finding that waivers resulted in a reduction in the median school allocation per pupil in waiver districts of 18 percent in 1995–1996 and 12 percent in 1997–1998.

H.R. 800

OFFERED BY: MR. PAYNE

AMENDMENT NO. 18: In section 4(c) (of H.R. 800, as reported) after ''Secretary'', insert ''or a State educational agency''.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) serving eligible school attendance areas in rank order under section 1113(a)(3) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MS. ROYBAL-ALLARD

AMENDMENT NO. 19: At the end of section 4(a)(5)(A) (of H.R. 800, as reported), add the

following sentence: ''Such report shall include statistical information regarding the number and percentage of elementary and secondary school students by gender, race, and ethnic origin who drop out of a school that received a waiver under this section.''.

In section 4(a)(6)(B)(i) (of H.R. 800, as reported), strike ''and'' after the semicolon.

In section 4(a)(6)(B) (of H.R. 800, as reported), redesignate clause (ii) as (iii) and insert after clause (i) the following:

(ii) review the progress of each State in reducing its student dropout rate; and

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT NO. 20: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) The purpose of education flexibility is to allow States, local educational agencies, and schools to administer Federal education programs more effectively without reducing resources to schools with the highest concentrations of poor children.

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT NO. 21: In section 4(c) (of H.R. 800, as reported), after ''Secretary'', insert ''or a State educational agency''.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike ''and''.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) in the case of a school that participates in a schoolwide program under section 1114 of the Elementary and Secondary Education Act of 1965, the eligibility requirements of such section if such a school serves a school attendance area in which less than 35 percent of the children are from low-income families; and

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT NO. 22: Redesignate subsection (g) of section 4 (of H.R. 800, as reported) as subsection (h), and after subsection (f) of such section, insert the following:

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a local educational agency to allocate the same per-pupil amount to each participating school attendance area or school if such agency allocated higher per-pupil amounts to areas or schools with higher concentrations of poverty than to areas or schools with lower concentrations of poverty.

H.R. 800

OFFERED BY: MRS. TAUSCHER

AMENDMENT NO. 23: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) Quality, after-school child care programs enhance the academic performance of school-age children. Therefore, when reallocating resources made available by the authority granted under this Act, schools that receive waiver authority under this Act should promote after-school, educational child care programs for children who are enrolled in such schools.

H.R. 800

OFFERED BY: MRS. TAUSCHER

AMENDMENT NO. 24: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) After-school programs for at-risk juveniles, designed and operated by law enforcement personnel, have been shown to reduce juvenile crime on school campuses and promote academic achievement among at-risk youth. Therefore, when reallocating resources made available by the authority granted under this Act, schools that receive waiver authority under this Act should promote after-school programs designed to reduce the incidence of criminal activity for at-risk students who are enrolled in such schools.

H.R. 800

OFFERED BY: MR. WU

AMENDMENT NO. 25: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) Smaller classes allow teachers to identify and work more effectively with students. The Federal Government, through education flexibility and the existing class size reduction program set forth in section 307 of the Department of Education Appropriations Act, 1999, can assist in these efforts by providing funding for class-size reduction in grades 1 through 3, and by helping to ensure that new teachers brought into the classroom are prepared.

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of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MARCH 9, 1999 *No. 37*

Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by guest Chaplain Rev. Michael V. Kelsey, Sr., New Samaritan Baptist Church, Washington, DC. We are pleased to have you with us.

The guest Chaplain, Rev. Michael V. Kelsey, Sr., New Samaritan Baptist Church, Washington, DC, offered the following prayer:

Let us pray:

Father, we thank You for this day and for this Nation. We pray and intercede for the men and women who are in positions of authority. We hold them up before You, that the Spirit of wisdom and discernment may rest upon each of them as they seek to do what is blessed in Your sight and right for Your people.

God, may the hearts and ears of these Senators be attentive to Your divine order. We believe You cause them to be men and women of integrity who lead with compassion and commitment, competence and character.

Your Word, O God, declares, ''Blessed is the nation whose God is the Lord.''—Psalm 33:12. And God, we expect to receive Your blessing as the ultimate One who can guide and govern the affairs of this Nation.

Thank You for this land and the leaders You have given to us. We say discretion watches over them; understanding keeps them; and godliness surrounds them.

May the words of their mouths and the meditations of their hearts be acceptable in Your sight, O Lord, our Strength, and our Redeemer.—Psalm 19:14. This is our prayer, in the name of the Lord.

Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader, the Senator from Pennsylvania, is recognized.

THE GUEST CHAPLAIN

Mr. SANTORUM. Mr. President, I, too, want to welcome Reverend Kelsey today and thank him for his inspirational prayer. He is one of the truly distinguished leaders of the church community here in Washington, DC.

Welcome back to Washington. You have been away for a while. It is good to have you back here, and it is terrific to have you here in the U.S. Senate.

Thank you for being here today.

Mr. KENNEDY. Mr. President, I join my friend, the Senator from Pennsylvania, in welcoming our distinguished guest Chaplain. I thank him very much for his presence and for his inspiring message to all of us. We are very grateful to him for joining us here today.

We thank him very much for all the good work that he does and continues to do for his parishioners.

SCHEDULE

Mr. SANTORUM. Mr. President, this morning the Senate will be in a period of morning business until 12:30 p.m. Under the previous order, Senator DURBIN, or his designee, will be in control of the time between 10:30 and 11:30 a.m., and Senator FRIST, or his designee, in control from 11:30 to 12:30 p.m.

Following morning business, the Senate will recess until 2:15 p.m., to allow the weekly party caucuses to meet. Upon reconvening at 2:15, the Senate will resume consideration of S. 280, the education flexibility partnership bill, for debate only, until 4 p.m., at which time the Senate will vote on the motion to invoke cloture on the Jeffords substitute amendment. Senators are reminded that, pursuant to rule XXII, second-degree amendments must be filed by 3 p.m. in order to qualify postcloture.

MEASURES PLACED ON THE CALENDAR—S.J. RES. 13 AND S. 564

Mr. SANTORUM. Mr. President, I understand there are two bills at the desk due for their second readings.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 13) proposing an amendment to the Constitution of the United States to protect Social Security.

A bill (S. 564) to reduce class size and for other purposes.

Mr. SANTORUM. Mr. President, I object to further consideration of the measures at this time.

The PRESIDENT pro tempore. The measures will go to the calendar.

Mr. KENNEDY addressed the Chair.

The PRESIDENT pro tempore. The able Senator is recognized.

THE DEATH OF ALBERT MURRAY, FATHER-IN-LAW OF SENATOR PATTY MURRAY

Mr. KENNEDY. Mr. President, I want to take just a moment of the Senate's time to share with our family in the Senate a rather sad occasion that has taken place. Last evening, at about 7:15, after we had recessed, I had a call from our friend and colleague from the State of Washington, Senator MURRAY, the principal proponent of our smaller class size amendment, who told me that her father-in-law had passed away yesterday. She had been on the floor all day. She returned after a very full day here on the floor leading us in this discussion on the question of smaller class size to learn that her father-in-law, Albert Murray, at the age of 80, had passed on. He had been a small business man for many years. He lived in Seattle and was very much involved in the community in a range of different activities to ensure that that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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community was going to be a better community.

The Murray family is a very close-knit family. They are an extended family. I had the opportunity to meet many of them at the time Senator MURRAY was initially sworn in here to the U.S. Senate.

She left last evening to return to the State of Washington to be with members of the family. I know all of us send our thoughts and prayers to Senator MURRAY, her husband Rob, and the entire Murray family. We are thinking about her and are mindful of her loss.

Mr. President, I yield myself such time that I might use.

The PRESIDING OFFICER (Mr. SANTORUM). Without objection, it is so ordered.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. KENNEDY. Mr. President, today we will vote again on whether to end this debate on education—prematurely, I believe—or do our part to help communities meet critical educational needs. After a very limited 2-day debate on education last week, the majority leader filed cloture to end debate on the bill. The next day he filed the same cloture motion to force a second vote on whether to end the debate. The first cloture motion was defeated yesterday; the second cloture motion will be defeated today. I believe we should stop playing procedural games and vote on amendments that are critical to communities across the Nation.

Republican intentions are clear. They do not want a debate on education. They do not want a vote on the critical educational issues facing the Nation's communities: reducing class size, recruiting more teachers, expanding afterschool programs, bringing technology into the classroom, reducing dropout rates, modernizing school buildings. And there is a shared responsibility in all of these areas between the local communities, the States, and the Federal government as well. Parents and communities have a central concern about ensuring that their children are going to be adequately trained as they move towards the new century.

We have an opportunity to do something about it, and we have, as we have demonstrated over the course of this debate, compelling evidence that each of these particular programs can really make a difference in children's achievement and growth, scholastically, in their local communities. No bill on the Senate calendar right now concerns more important issues than education.

These issues are important and timely. We start off this session with a very thin calendar. We have the time and we have the ability, as we have said on a number of different occasions. Under the leadership of Senator DASCHLE on this side of the aisle, we are prepared to agree to a small number of amendments with strict time limits that could ensure a speedy conclusion to those amendments, even, probably, during the day today. We can all work together to reach a bipartisan consensus on education now, because the Nation's schools and children cannot.

Some Republicans insist that they won't agree now to any amendments which affect the Elementary and Secondary Education Act, but that position is untenable. The pending Ed-Flex bill directly affects the largest ESEA program, title I. It also affects a number of the other programs included in the Elementary and Secondary Education Act—the Education Technology, the Eisenhower Professional Development, and the Safe and Drug Free Schools programs. Yet we are now considering Ed-Flex long before it is ready for action.

We should also be able to consider other vital education issues, too. Ed-Flex is a good idea, because it gives States more flexibility in implementing Federal programs. It makes them accountable for how well Federal aid is used to improve the schools. It goes back to the initiative of our good friend from the State of Oregon, Senator Hatfield. I joined him in offering the initial Ed-Flex in 1994. I offered it as an amendment to Goals 2000, to permit another group of States to do so. I know this program. I support this program.

We have strong support for the Ed-Flex concept on this side of the aisle as well as the other side of the aisle. We want to make sure, when we provide scarce resources, that the local communities, when they get the scarce resources, are able to show how the changes in the education programs will enhance student achievement. That is what we are interested in. Families are interested, local communities are, States are; we should be as well. We are trying to give the assurance to families across the country that accountability would be a part of Ed-Flex.

Ed-Flex, as I mentioned, is a good idea, but flexibility and accountability mean little if we do not give communities the support they need to implement school reform strategies that work. If you take the time to read the General Accounting Office review of Ed-Flex, what springs out at you is what the GAO report stated was the greatest desire for the local communities. What they asked for was additional funding for education programs. That makes sense. Second, they wanted to know if there were other opportunities to enhance academic achievement. Third, they were looking for help and assistance in how to run their schools more efficiently and effectively.

Those are pretty reasonable ideas and ones that I think all of us can understand. That is what they were looking for, and we are attempting to try to assist with these other ideas that different Members have talked about over the period of the past few days to try to help the local communities.

Last year, with broad bipartisan support, the Congress made a substantial investment in improving the Nation's public schools. We increased funding for IDEA by $500 million. We increased funding for afterschool programs by $160 million. We increased funding for title I by $300 million. And we made a $1.2 billion investment in reducing class size in the early grades. Those were done with bipartisan support, including the commitment to reduce class size, the amendment that Senator MURRAY has championed in the Senate not only this year but last year as well.

Much more remains to be done. Good ideas to improve education deserve our strong support. We need to do more to help communities hire additional teachers and reduce class size. We need to support State efforts to raise academic standards and support communities and teachers who are helping children meet those standards. We need to modernize school buildings and repair crumbling facilities. We had the GAO report which estimated it will cost $120 billion just to bring classrooms across this country up to standards. Many communities in urban and in rural areas just cannot afford to take on that particular challenge themselves. We have ideas about how we can assist local communities, not with a handout, but to help them ease the kinds of financial pressures on that local community in order to bring their school buildings and classrooms up to speed.

That is a very important concept, partly because without doing so it is more difficult for the children to learn. We find even in the city of Boston that when the temperature goes down to 15 to 20 degrees, 15 schools close down because their heating systems are not adequate. Automatically, 15 schools close down. There is an effort being made in the local community—the greatest increase in a school budget in terms of education, I think, of any major urban area in the country—but still it is taking time.

We can help in this area. It is not only important in terms of the physical facility, it is important in the message we send to the children. Every parent, when they see their child go off in the morning, is talking to that child about paying attention during the course of the day, working hard, doing his or her homework, getting extra help and assistance if it is needed. Every parent is to instill in them the value and the importance of education. But if the child walks into a classroom and it is dilapidated and not functioning or does not have an electronic system to hook up the various new kinds of technology, we are sending a very powerful, very simple message to those children. The parents may be talking about the value and importance of education, but we, as a society, are not prepared to put the resources into it to ensure that those children will go to a first-rate school. That is the message, and that is powerful.

That is happening every single day in communities all across this country—certainly in many of the older communities and in many of the poorer rural communities across this country—where we do not have the kind of facilities that all of us would hope we might have for the children of this country. It is a very important message, and we are attempting to do something about it. We are not going to answer the whole problem, but we are going to offer a helping hand for local communities. Trying to provide some help and assistance in terms of school construction makes a good deal of sense.

Much more remains to be done. Good ideas to improve education deserve our strong support. We need to do more to help communities hire additional teachers, reduce class size, support State efforts to raise academic standards, and support communities and teachers who are helping children to meet those standards.

We talk about content standards. An increasing number of States have adopted content or performance standards. That is very important, so that parents will know what their children are learning and how they are doing. We need to end social promotion, but, when we do that, we are going to make sure there will be the kinds of support facilities out there for children who have not been able to keep up, to keep them from falling further behind.

We have different examples of where that is taking place—in Chicago, where children who are falling behind are getting extra assistance during the schoolday, or even after school, or over the course of the weekend, or during vacations, or during the summer—maintaining high standards for children, but also trying to get assistance for those children who need it. It makes sense. That is what we are trying to bring attention to.

We need to modernize the buildings, as I mentioned. We need to expand the afterschool programs—for the 7 or 8 million children between the ages of 8 or 9 and 14 who go home in the afternoon to empty houses, who may spend their time watching television, if the parents are fortunate, or otherwise involved in antisocial behavior, if they are not—to try to develop programs that are going to work with the schools or with nonprofits.

We have different ways of approaching this, modest amounts of resources in the President's budget to try to do so. We can encourage those children to be involved in afterschool programs, to enhance their academic ability and achievement and perhaps give those children a chance to spend some quality time with their parents. Rather than the parents coming home, finding the child has been watching television, and saying, ''Go up to your room to do your homework,'' parents can provide the kind of climate and atmosphere which is going to be profamily.

This is a profamily issue, Mr. President. We have seen the amount of success that it has. Last year, when we had $40 million in afterschool programs, we had $500 million in applications. That is from the local communities. What we are doing now is trying to build that up to cover more than a million children, and that will send a ripple all across this country to develop after school programs. We do not intend to do all that is required in terms of after school, but we can demonstrate, by the success of these programs, how they have impacted children and families to build the kind of local support for the enhanced programs.

Mrs. BOXER. Will the Senator yield for a question?

Mr. KENNEDY. I will be glad to yield.

Mrs. BOXER. Thank you, I say to the Senator.

I am so pleased he is talking about afterschool programs. I am so disappointed at this point we cannot offer our amendment which would, in fact, accommodate, as the Senator pointed out, more than a million children in afterschool quality programs.

I ask the Senator if he was aware of the relationship to the crime issue, juvenile crime, that we have been told by the FBI that the highest incidents of crime occur at 3 o'clock. And we have tremendous support for this afterschool amendment from the police athletic leagues all across this country and the police officers because when you have quality afterschool programs, it not only improves the education of children—and they do much better as they have done in afterschool programs throughout California—but also the police athletic leagues tell me they see a 75-percent reduction in crimes. So I ask the Senator if he could comment on the impact these afterschool programs have on reducing juvenile crime.

Mr. KENNEDY. The Senator is absolutely correct. Perhaps the Senator wants to put in the RECORD the excellent letter that has been sent to all of us from some 450 police chiefs, sheriffs, prosecutors, and leaders of police organizations in strong support of your amendment for the after school program. It reviews what has been happening in local communities to demonstrate their reasons for their strong support. Just as the Senator has mentioned, it has had an important and significant positive impact on reducing juvenile crime.

I can tell you in Boston, MA, we went 2½ years without a youth homicide—virtually unheard of for any major city of this country. And if you talk to Paul Evans, who is our police chief up there, the first thing he will talk to you about are the after school programs. He will talk about other programs in terms of trying to penetrate gangs, and he will talk about working with teachers and social service offices in terms of identifying the real trouble makers, and a variety of different other efforts, but he will lead off his list with the after school programs. It is just as the Senator has stated. This has an important, positive impact in reducing juvenile crime.

We are talking about preventing antisocial behavior, whether it is in terms of crime, or more dangerous kinds of activity, namely juvenile violence. This is very important.

Mrs. BOXER. I thank my colleague for speaking out on these issues today. And, yes, I ask unanimous consent the letter Senator KENNEDY mentioned be printed in the RECORD.

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

FIGHT CRIME
INVEST IN KIDS
Washington, DC, March 4, 1999.

Re: Anti-Crime Amendment to Educational Flexibility Partnership Act.

DEAR SENATOR: As an organization of 450 police chiefs, sheriffs, prosecutors, leaders of police organizations, and crime victims, we urge that you co-sponsor and support Senator Boxer's After School Education and Anti-Crime Amendment, which would boost authorization funding levels for the 21st Century Community Learning Centers afterschool programs, as you consider the Education Flexibility Partnership Act of 1999 (S. 280).

FBI data show that in the hour after the school bell rings, juvenile crime suddenly triples. The peak hours for violent juvenile crime are from 3:00 p.m. to 6:00 p.m., and more than half of all such crime occurs between 3:00 p.m. and 9:00 p.m. These are also the peak hours for unmarried teens to engage in sexual activity, and being unsupervised in the afternoon doubles the risk that teen will drink alcohol, smoke cigarettes, or use drugs.

Quality after-school, weekend and summer programs for children and youth can cut crime dramatically—by offering school-age kids a safe haven from negative influences, and providing constructive activities that teach them not only the skills they need to succeed, but also values like responsibility, hard work, and respect and concern for others. For example: high school freshmen boys randomly selected from welfare households to participate in the Quantum Opportunities after-school program were only one sixth as likely to be convicted of a crime during their high school years as boys in the control group. Together, the boys and girls who participated in the program were 50% more likely to graduate from high school on time, and two-and-a half times more likely to attend post-secondary schooling. The program produced three dollars in benefits for every dollar spent.

When a Canadian public housing project intensively recruited youngsters to participate in an after-school skills development program, juvenile arrests among its teen residents declined by 75%, while they were going up 67% among the residents of a nearby comparison housing project. The program saved the government more than twice its cost.

When the Baltimore Police Department opened an after-school program in one high-crime neighborhood, kids' risk of becoming crime victims was cut nearly in half.

That's why, in addition to our 450 law enforcement members, law enforcement organizations nationwide have called on public officials to provide for America's children and teens after-school programs that offer recreation, academic support and community service experience. Among the organizations which have passed such resolutions are the National Sheriffs Association; the Major

Cities [Chiefs] organization (composed of the police chiefs from North America's 52 largest cities); the Police Executive Research Forum (made up of police chiefs, sheriffs, and other law enforcement officials who together serve over 100 million Americans); the National District Attorneys Association; and such state law enforcement groups as the California District Attorneys Association; and such state law enforcement groups as the California District Attorneys Association, the Illinois Association of Chiefs of Police and the Illinois States Attorneys Association; the Texas Police Chiefs Association, the Arizona Sheriffs and Prosecutors Association, the Maine Chiefs and Maine Sheriffs Associations, and the Rhode Island Police Chief's Association.

Despite clear evidence that quality after-school programs have a dramatic crime prevention impact and actually save taxpayer dollars, we are serving only a small portion of the children and youth who need these programs. More than 7 million children under twelve years old and millions more between twelve and eighteen years old, now spend their after-school hours unsupervised and vulnerable to the negative influences of gangs, drugs, and crime.

Senator Boxer's After-school Education and Anti-Crime Amendment would be a step forward in meeting our nation's need for more after-school programs. We therefore urge the Senate to adopt this amendment.

If we can be of further assistance as you consider S. 280, and other crime-prevention issues, please feel free to call on us.

Sincerely,

SANFORD A. NEWMAN,
President.

Mrs. BOXER. I do want to thank the police athletic leagues for getting involved in this. I want to ask my friend this question, because he is our leader on education. He was the former chair of the Education Committee, now the ranking member.

I seem confused in trying to understand the majority leader's decision here not to allow these amendments to be offered. And I read somewhere that he said he looked forward to this debate when we began and he said, let's have those amendments, and we will vote them up or down. Can my friend explain to me why on Earth, when we have a situation here where the No. 1 issue in America today is our children and their education, the majority leader will not allow us to have an up-or-down vote on 100,000 teachers, on expanding afterschool programs, on the myriad of issues that we all know we need to address, the No. 1 issue today? Does my friend understand this change of heart? And can he explain to me what the rationale is for filibustering our amendments, for not allowing us to be heard by placing a gag rule on the Senate? Does he have an explanation?

Mr. KENNEDY. I say to the Senator, let me respond in this way. I had placed in the RECORD the statement by our majority leader at the National Governors' Conference just at the end of February where he said:

Now when we bring the education issues to the floor . . . there will be some amendments and some disagreements, but—and the leadership meeting that we had yesterday afternoon, I said, ''That's great. Let's go to the Senate floor, let's take days, let's take a week, let's take two weeks if it's necessary. Let's talk about education.''

Here we had effectively, on Friday afternoon of last week, debate, but because of parliamentary means the opportunity for amending the legislation was closed out. Yesterday—yesterday—as the Senator might have heard, we could not call off quorum calls in order to amend the bill or to bring up an amendment. We were effectively told that unless it was cleared it with the majority, they were not going to permit amendments to be offered. Fortunately, we were at least able to find a way to try and get a vote on the Murray amendment, which we will vote on tomorrow.

Then we were, of course, absolutely mystified as to why the leadership included in the Ed-Flex this very complex bank reform legislation that has absolutely nothing to do with education—absolutely nothing. They added that and refused to permit an orderly process of consideration of amendments on which, as the Senator from California and others have pointed out, we would be willing to enter into a reasonable time limit.

The Senator from New Mexico, Senator BINGAMAN, has an amendment that has been passed with strong Republican support in the past. He indicated he would be willing to have one-half hour of debate, 15 minutes to a side. Other Senators have been willing to do so as well. Senator MURRAY was willing to do so, so we could move this process along, not that we should not have at least a fair opportunity to permit some of our colleagues to be able to express their own views, both for and against. But the Senator is quite right. We are effectively being told that even though the legislation is technically before the Senate, that we are closed out from having the opportunity to offer amendments and have the Senate dispose of those amendments, and that is obviously troublesome.

It works, as the Senator knows, in a strange way. We have had a deadlock for these past days, but there is nothing that is going to preclude Senator MURRAY from offering her amendment on some other piece of legislation. That is what, evidently, some of our people here must understand—that you just cannot do it at this place in the Senate calendar. You might be able to squeeze it out in the last few days of a session, but you cannot do it at this time.

We are going to see these amendments at one time or other, and I imagine earlier rather than later. So it has always seemed to me to make the most sense to do it in a responsible way, and that is in debating this with an underlying amendment on education rather than trying to work the process to have an amendment on a different item.

Mrs. BOXER. If my friend would continue to yield to me, I came over here not to seek time on my own, I say to my friend, but really to engage him in a conversation, because I think the American people are completely confused. I know I am confused. I see an Ed-Flex bill coming over here. It is a good bill. The Senator supports it. I support it. But as we have said before, it is a thin bill. It does not go to the heart and soul of what we need to be doing—more teachers in the classroom, afterschool care for our children, dropout prevention.

I will tell you why I am confused. I read that our majority leader, Senator LOTT, was with our Presiding Officer in his State. They had an excellent town-hall meeting on education, and they talked about education a lot. They talked about it a lot. They talked about how it was a priority for the Republican Party. Well, talk is cheap.

I would like to know, what are we going to do? And we have an opportunity here, because there is an education bill on the floor, to let the majority of the Senate work its will; allow us to vote up or down. The Senator is completely correct. On afterschool, I offered a 1-hour timeframe and an up-or-down vote after that—1 hour. That is all. We are not trying to tie up the Senate. And further, my friend reminded me, which I had forgotten, there is a banking amendment on this bill.

I am confused here, I say to my friend, and continue to be confused, that we have this bill on the floor that deals with education. The majority leader says he doesn't want it amended by any education amendments but he allows an amendment to go through that deals with the banking system. Members can only come to one conclusion, and that is that the Republicans like to talk about education but when it comes down to doing something to help our children, they are missing in action, regardless of town hall meetings.

I am glad that the Senator from Massachusetts, the ranking member on the Committee on Health, Education, Labor, and Pensions, has taken this time to explain what is going on to the American people, because you can't fool them.

I think what is interesting, as my friend has pointed out, we are not going to go away. Senator MURRAY, who isn't with us this morning because she had a tragic death in her family, Senator MURRAY is not going to go away. She and the Senator from Massachusetts were on their feet Friday, they were on their feet yesterday, they tried in vain to get a vote on the 100,000 teachers. She is not going to go away. The Senator from Massachusetts isn't going to go away. This Senator isn't going to go away. Why not have an agreement to bring up these issues and vote on them?

There is only one thing I can say, and that is that the majority leader does not support these amendments, he does not support 100,000 teachers in school, he does not support afterschool, he does not support dropout prevention. Otherwise, I can't imagine why he would use the heavyhanded tactics.

I yield back to my friend to continue to enlighten us on where we stand and how he sees the rest of the year going when we start off with such a gag rule on such an important measure.

Mr. KENNEDY. Senator, if I might just raise some conclusions that have been reached by this independent evaluation of title I that is directly relevant to the issue which the Senator wanted to address. This is the final report of ''National Assessment'' of title I. It just came out last week. In the summary, it points out: ''Recent research on effective schools has found that using extended time learning in reading and mathematics''—this is the afterschool model; not all afterschool models, but many of the afterschool models. More so, now, I think, as a result of this excellent report.

And it talks about the recent study of schools in Maryland:

Researchers found that the most successful schools were seeing constant academic gains as a result of the extended day programs.

This is just what the Senator is talking about. This is the ''National Assessment.''

I mentioned before, there is $500 million in requests. We have an important increase in the President's budget paid for. The Senator is just trying to get the authorization so the communities will know this program is alive and well and going to be continued over the period of time. That could be done in a very short order.

If there are those here opposed to it, why not express your views and then vote in opposition to it? Effectively, the good Senator is being denied at least any opportunity to be able to advance that—advance it, let the Senate finally vote on it—being denied that in spite of the fact that in this excellent review about what has been successful and what has not been, this is right on point to the Senator's initiative, and that, I think, is one of the reasons we are very frustrated.

We take a Banking Committee bill. Here we are on education. The timing was set by the majority leader and the majority. They are the ones who set the agenda. They are the ones who called up this bill.

Now we find out they are effectively foreclosing or have foreclosed. We are still hopeful that the Senator would be able to offer the amendment.

While the Senator is here, I just mention the kind of support we have on the class size amendment. We will have an opportunity to vote on that cloture tomorrow. Various groups have supported that, including the National Parent Teacher Association, the National School Boards Association, the National Association for the Advancement of Colored People, the Council of Chief State School Officers, the American Association of School Administrators, the Council of Great City Schools, the National Association of Elementary School Principals, the National Association of State Directors of Special Education.

That is interesting, special education; we heard a great deal about the importance of special education. Here is the association that is the primary spokesman for special education, and they are talking about the importance of this, and for very good reason. We have to fund both—that is our position—the IDEA and also this program for having smaller class sizes and having a well-trained teacher in every classroom. When we have the teacher quality, the well-trained teacher, they can identify early in their development the children who are going to have the special needs. If they are spending time with them in reading, they can find out whether that child needs the other kind of attention. Then you can locate and identify these needs much earlier, and we also can find out if they can provide that help and assistance to them, for example, in literacy. It may very well reduce or eliminate the need for special education.

There is support from this association in terms of school construction. They find out that the children with disabilities will benefit from buildings with appropriate physical access to buildings, buildings that are well equipped to handle modern technologies which so many with disabilities need to get a good education. And they find out that the afterschool programs, including Children With Disabilities, Stay Off the Street, Out of Trouble, help them get the academic help they need and desire.

That is what we are saying. Help all the children. We are also helping those with special needs. We are committed to trying to get additional funding in the area of special needs.

I remind our colleagues that under the constitutions of the States, the States have the responsibility for educating every child. We set as a goal that we would pick up 40 percent. I am strongly committed toward doing so. We will have an opportunity before too long to offer amendments to move us in that direction. We hope we will get as much support on that issue when we offer those amendments as we have had in terms of an opposition to trying to do the kind of things that the Senator from California has identified.

Mrs. BOXER. Will the Senator yield?

Mr. KENNEDY. Yes.

The PRESIDING OFFICER (Mr. ENZI). The Senator from California.

Mrs. BOXER. I think it is an important point the Senator makes, that when you have smaller class sizes you can give special attention to the children who need it. The Senator makes a very interesting point. Perhaps some of these children who now need to be pulled out of those classes because they are so large would be able to be served in smaller classrooms.

I had a very interesting conversation with a woman who sat next to me on an airplane back to California on Friday who works for the Pentagon. She was so excited about the fact that the military has just decided to undertake a project to lower classroom sizes.

I ask my friend if he had heard about that. Their goal now in the early grades is to have 1 teacher for every 18 children. Now, this is the military, the U.S. military. These are schools that are run by the military.

I say to my friend, if our children whose parents are in the military can benefit from smaller class sizes—because the military is so smart, they understand it works—why should we deny our children in the public schools the same opportunity for smaller class sizes?

Does my friend see in this an irony that the majority leader and the Republicans who join us in being very strong supporters of strong defense, in giving the military what they need so there can be a quality of life for their kids, that they would undertake such a program? Yet, we would be gagged. Maybe my friend is right; maybe we will be able to go to the amendment. If we don't go to the amendment, doesn't the Senator see an irony here that the Pentagon will have 18 kids—15 to 18—in a classroom, supported by the Congress, and yet we see this opposition for the other children who happen to not be in military families?

Mr. KENNEDY. The Senator makes a good point. Not that that is always the best practice, but certainly in this case it is. Secondly, for example, child care programs in the military versus nonmilitary programs, are quantitatively better because, very interestingly, the amendment that we adopted for child care for the military was actually the one that came out of our Labor and Human Resources Committee and had protections and guarantees in terms of quality and training for the personnel who are going to work with those children.

When we had it on the floor of the Senate, it was effectively undermined, in terms of those protections, in an attempt to get it passed.

Now they will go on out and ask, ''Why are the military ones better?'' It is very plain and simple. You can look at the history of the support of those programs here. At the time they called the roll, 94 to 6 we were prepared to give protections, because it was an add-on for the protection of the military—94 to 6. I remember it very clearly, because I offered the amendment.

When Senator DODD, who is a real leader in these children's programs, battled to develop programs for needy working families on this, it was significantly undermined.

The military understands smaller class sizes, as they do child care, and they are moving in that direction because they are able to do so.

A final point I will mention to the Senator on the importance of this, because we heard a great deal yesterday about how can we do this and not give attention to IDEA, is included in the RECORD—I will check the RECORD and, if not, will include it here—an excellent study that was done by ''School Business Affairs'' on education. In this

review, the study shows the benefits of reduced class size. I will read this:

Research has shown that some elements of schooling are changed positively by using reasonably sized classes in grades K-3.

Table 1 suggests some potentially cost-saving items that can be factored into plans to adjust [to smaller] class sizes.

It talks about reduced retention in grade, improved student behavior, reduced remediation so more students are on a grade level and special services may be more clearly targeted to needy students, and, finally, earlier identification of barriers to learning that may be remedied immediately, offering later savings in special education costs.

I hope, and maybe it is hoping for too much, that we can avoid pitting children against children, but rather to try to move along together. The central issue that we are focused on is smaller class size. We have additional amendments. The Senator from California has one to deal with afterschool programs. Senator HARKIN has one with regard to school construction. Senators REID and BINGAMAN have one with regard to dropouts. Senator DODD also has afterschool programs. There are others—Senator FEINSTEIN and Senator DORGAN have amendments, and my colleague Senator KERRY has one as well.

We are, nonetheless, prepared to reduce the number of amendments we offer and enter into a reasonable time limit so that we can at least make some important progress. I think most families who are watching this would say, ''Why aren't they doing business? Why are we watching Senators talk about this. They have, effectively, uncontroverted documentation of support for the initiatives they are talking about. Why aren't they going ahead?''

And our response is that we can't go ahead because these barriers have been placed in our way.

That is fundamentally wrong. As the good Senator has pointed out, we are not going to let these barriers stand in our way.

I thank the Senator from California for all of her help.

Mr. President, I am told that we will have a number of our colleagues coming over to address these issues. We have the next 15 minutes, and then we will come back to address these issues later in the day, starting at 2:15.

I wanted to point out in our opening comments and statements this morning the importance, again, of reduction of class size.

Let me mention some of the rather interesting results of reduction of class size. The documented research—what parents and teachers have always known intuitively—shows that the smaller classes enhance student achievement.

The most effective overall presentation that was made on this was the excellent presentation by Senator MURRAY who has been a schoolteacher herself, has taught in these classes and can speak eloquently and knowledgeably about what it is like to be in a classroom with 30 children versus a classroom of 17 or 18 children. She has been on a school board for a number of years, dealing with educational policy, and she has the vantage point of bringing both of these experiences to this issue.

I have observed Senator MURRAY now for some 6½ years. I do not think any of us have seen a more impassioned, knowledgeable, informed person speak on the subject of class size as Senator MURRAY. I know she will continue to fight for this, and I am absolutely convinced that we will eventually accept the Murray proposal and, by doing so, give the information to the local school districts that the commitments that we made last year for increasing the number of teachers is going to be continued for the next 6 years.

The President has put the funding for that program into his budget. All we need now is the authorization, and the reason we need the authorization now, as Senator MURRAY points out, is because school boards need to know whether they can count on the continued financial support for next year and the year following and on into the future to go out and hire new teachers. The local school boards are wondering whether they ought to take the chance of moving ahead or if it is just going to be a 1-year experience.

That is a very reasonable issue, and school boards all across the country are in contact with us asking for clear guidance. For those who come to the floor and say, ''We want to rely on local controls, we want to help and assist those in the local communities,'' this is the way to do it.

Let's send a very clear message to those at the local school level that this is a program that is going to continue for the next 6 years. You can be sure that we are behind it. That is what the Murray amendment does, and that is why it is so timely and so important that we put that on the Ed-Flex legislation.

Mr. President, let's just look at some of the examples of the studies on smaller classrooms. Let's take this Project STAR that studied 7,000 students in 80 schools in Tennessee. Students in small classes performed better than students in large classes in each grade from kindergarten through third grade. Follow-up studies showed that the gains lasted through at least eighth grade, and the gains were larger for minority students.

In Wisconsin, the Student Guarantee in Education Program is helping to reduce class size in grades K through 3 in low-income communities. The study found students in the smaller classes have significantly greater improvements in reading, math, and language tests than students in larger classes.

In Flint, MI, efforts over the last 3 years to reduce class size in grades K through 3 produced a 44-percent increase in reading scores and an 18-percent increase in math scores. Mr. President, this is what is happening out there in school districts. I don't know how much more information we need. School district after school district that has moved towards smaller class size is finding these extraordinary results. We are being denied now the opportunity to say, ''Look, we notice these results. We hear what you are saying. It does make an important difference. We have the resources at this time to move ahead in a national effort to try to get the smaller classrooms.'' That is what this debate is about, and we are denied the opportunity to do so.

Listen to this. As I mentioned, in Flint, MI, over the last 3 years the smaller class in K through 3 produced a 44-percent increase in reading scores, and an 18-percent increase in the math scores.

Before we get into the expanded reading program we passed at the end of the last year—not that that in and of itself is going to solve all of the problems—what we have done in the last 3 years is encouraged the universities which have Work-Study Programs to ensure that many of the young people who are attending our colleges all across the country are going to move towards working and tutoring students as part of their Work-Study.

I am proud that Massachusetts has better than half of its colleges doing so.

I urge our colleagues in this body to meet with the presidents of universities in their states and encourage the presidents of the universities to get their universities and their schools involved in that reading program. Massachusetts and California are the two top States. Sixty percent of our colleges are doing it. We are committed to trying to get it up to 100 percent. There is no reason that kind of assistance cannot go to these students with the Work-Study Programs so that reading can be held to a higher standard.

But getting back to the subject, that is the importance of grades K through 3, we have extraordinary academic achievements in reading, which is the key to all knowledge, and math, and they are due in large part to a reduction in class size.

I have other examples, and I will make sure there is time remaining to speak to the Senate about those. But I can tell you that we have instance after instance after instance where the smaller class size has resulted in dramatic and significant and important academic achievement and academic progress for students. And it is a national tragedy that we are not embarked on a program to help local communities and States to embark on such a program. Some can do it locally, and they are doing it. We commend them. The States are doing it. But we ought to have a partnership to do what we know can make a significant improvement in children's academic performance and success, and we are being closed out of the opportunity to do that here today. We have $11 billion

out there which can make a direct difference, and we are being denied the opportunity to do so. That is fundamentally wrong.

I yield to the Senator from Illinois what time he might consume.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time remains in morning business?

The PRESIDING OFFICER. Eleven minutes forty-five seconds.

Mr. DURBIN. Thank you, Mr. President.

Mr. President, I rise to speak in morning business and to support the efforts by Senators KENNEDY, MURRAY, and so many others to finally bring to this Senate floor a vote on education.

We have been in session for almost 2 months now. A great deal of that time was spent on the impeachment trial with the promise that when it ended, we would come together and consider issues important to this country. And I think all of us took heart in that promise by the leadership. Yet, when this debate comes to the floor on the first education bill of the 106th Congress in the U.S. Senate, we are finding efforts by the Republican leadership to limit the debate. When Senator KENNEDY comes to the floor with Senator PATTY MURRAY of the State of Washington and asks only for the opportunity for the Senate to vote on several key educational issues, I am sorry to say the Republican leadership has used every procedural device to stop the Senate from voting on education.

What does that say about the 106th Congress and what we hope to achieve? I hope Republican Senators feel, as those do on this side of the aisle, that reducing classroom size gives kids a better chance. My wife and I have taken three kids to school—taken them as they started in kindergarten through the grades. Can you believe for a moment we would have felt encouraged if we walked in and they said, ''You have a choice here. There is one classroom with 30 kids and one teacher, another with 18 kids and one teacher. We are going to put your child in the larger classroom with 30 kids. That is OK, isn't it?'' You would say, ''Wait a minute. My son or my daughter has a better chance with more personal attention.''

That is what is behind the proposal for 100,000 new teachers—to reduce classroom size so that more personal attention can be given to each student. There may be some Republicans and maybe even some Democrats who would disagree with that premise and argue that larger classrooms are better for kids. Let them vote that way. Let them cast that vote that way. But to stop us procedurally from even coming to this vote on President Clinton's initiative for 100,000 more teachers does a disservice to the kids and families across America and doesn't speak well of the agenda for the 106th Congress.

Another item being considered, and one I hope we vote on, is the question of making sure we have enough classrooms and that we are going to, in fact, have smaller class sizes. As I travel around my home State of Illinois, superintendents, teachers, and parents said, ''Great. Smaller classrooms make a lot of sense. We think our kids have a better chance.'' But we are going to need more classrooms, obviously.

So one of the proposals that is before us which Senator KENNEDY is pushing for is to have help for the school districts across America to build more buildings. Unfortunately, that, too, has been stopped.

Imagine, if you will, that the Republican leadership does not want us to vote on whether or not to help school districts build more classrooms, modernize classrooms, make certain they have the technology necessary for the 21st century, even to make certain there are safer classrooms for our kids. What possible item on the agenda is more important than education? Yet, as the 106th Congress begins, we got off to a slow start because of the impeachment, and now we have come to a grinding halt on education. If we cannot achieve a bipartisan consensus on the basics of education, it doesn't speak well for the prospects of this Congress. I hope Senator KENNEDY, Senator MURRAY, and many others prevail. They are going to try to ask the Senate to come together on a bipartisan basis and really put their votes where their campaign rhetoric has been—commitment to education.

That is what it is all about. Let me speak for a moment to another issue which has been brought up, and it is a very valid issue.

Many Republicans argue today and in the last week's debate that we should put more Federal money into school districts to help them pay for disabled children. I have been to these schools. I have many times seen one teacher per student. I know it is very expensive education. I know some kids are sent off by school districts to better opportunities in other States. And that, too, can be very expensive. So the Republican majority has suggested we should put more money into special education from the Federal level. I hope it is clear that most Democrats agree with the Republicans on that; and that, if we are going to focus the surplus on education, this is a valid investment. But make no mistake; we have faced this vote before.

Take a look here. On April 23rd of last year when we offered an amendment to the Coverdell bill on the so-called parent and student savings accounts, an amendment which said take the money and put it into special education, only four Republicans joined us in that vote. They said, no; it is more important that we have vouchers for private schools than we take care of disabled children in public schools. So, by a vote of 50 to 4, the Republicans said no; don't put the money in special education. Now they argue today that it is the most important priority, the highest priority above all.

I sincerely hope we can return to this debate on the floor in an honest and bipartisan fashion.

I don't know why Senator KENNEDY stands here alone on the issue of classroom size. I don't know why Senator MURRAY stands here alone on the issue of increasing the number of classrooms and the safety of our school buildings.

This truly is bipartisan. So many of us who go to the campaign stump and speak about education now have a chance to put our votes where our promises have been.

I sincerely hope that the Republican leadership will think twice about this—that we have an opportunity here to get the 106th Congress off to a positive start. The 105th Congress was a do-nothing Congress. It achieved little or nothing, and the American people in the last election in 1998 made it clear that they rejected that approach. Now we have a chance to do something on education on a bipartisan basis if the Republican majority will stop throwing these procedural roadblocks in our path.

At this point, Mr. President, I reserve the remainder of time in morning business.

The PRESIDING OFFICER. The Senator has 1 minute 30 seconds remaining—under the control of the Senator from Massachusetts. Then the next hour is under the control of the Senator from Tennessee.

Mr. KENNEDY. I yield the remaining time to my colleague from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I ask unanimous consent to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Object.

The PRESIDING OFFICER. Objection is heard.

Mr. FEINGOLD. Mr. President, I am wondering if there would be an opportunity, after the completion of this period, for an additional 10 minutes in morning business by unanimous consent.

The PRESIDING OFFICER. This period will end at 12:30, which is the time for recess.

Mr. KENNEDY. Could I suggest something to the Senator, if the Presiding Officer will yield. We generally close down at 12:30. The Senator from Tennessee has an hour, and if it fits into the Senator's schedule, I would ask that we do not recess; we postpone the recess from 12:30 to 12:45 to permit the Senator to speak.

Mr. FEINGOLD. I thank the Senator from Massachusetts.

Mr. KENNEDY. If that is agreeable to the Senator.

The PRESIDING OFFICER. The Chair will need someone to fill in for him.

The Senator from Wyoming objects.

Objection is heard.

The Senator from Tennessee now has 1 hour.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. FRIST. Mr. President, over the next 60 minutes we will be addressing our children's education, which is a continuation of the debate that we brought to the floor last week. Although the debate has ranged from the initial presentation of the bill to various amendments, it is the underlying bill that I would like to spend a few moments discussing.

The Ed-Flex bill is a simple bill, a straightforward bill, and a bipartisan bill. It was brought to the Senate floor last week in order to pass it through the Senate, have it pass through the House of Representatives, have it sent to the President of the United States, and signed so that all 50 States would be able to take advantage of a program on which we have a 5-year history, that has been demonstrated to work, that was initially applied in six States, and then another six States. There are 38 States such as Tennessee that do not have access to an Ed-Flex program.

Ed-Flex is a program which basically says that individual schools and school districts and communities would be able to obtain waivers to be able to meet very specific education goals to educate their children, but they can do it in a way that is free of the Washington bureaucratic regulations, the excessive redtape which we hear again and again is shackling the hands of our schools and our teachers who are working so hard to educate our children, to prepare them for a future full of opportunities, to prepare them for that next millennium which we all talk about in such glowing terms. Yet we recognize that in spite of giving the system a lot of money, in spite of progress in structure, we are failing our children. We are not preparing them for that next millennium.

So now is the time to pay attention to what people are telling us, to what parents are telling us, what principals are telling us, what teachers are telling us. We need to respect the needs of the local communities, because each community is different, rather than thinking in this body that we can decide if you put more teachers there, you are going to do better without telling them what the quality of that teacher might be or telling them that you need just another computer, and if we put that computer in your classroom, your students will do better.

No, we should listen to the schools that say let us take those same resources—we know what it takes to educate our children—let us carry out our type of program free of the bureaucracy, free of this administrative burden. And that is what Ed-Flex is all about. This particular bill costs nothing.

We have heard of a number of well-intended programs talked about this morning and introduced as amendments, really loading down our bill, but they cost $200 million here, $500 million here, $1 billion here, $6 billion here, $12 billion over 6 years.

We should have that debate at some point because we know that we are not educating our children nearly as well as we should, and we need to debate resources. And we most appropriately are doing that in the committee structure right now where we are looking at all of the elementary and secondary education programs through the reauthorization process. We have heard repeatedly that we should not just add one more program to the already more than 250 programs with which we have been trying to educate our children. We hear too often: Let's add this program and that will take care of our problems today.

Well, it sounds good and it makes good sound bites and it may even poll well, but it is absurd to think that one program is going to solve our education problems. So let's start with the basics. The Ed-Flex bill includes flexibility at the local level, gets rid of Washington redtape, provides strong accountability provisions built in at the local level, at the State level, and at the Federal level. For instance, performance standards and content standards are built into our Ed-Flex bill, as well as issues at the State level such as corrective action and technical assistance, and accountability is built in at the State level and at the Federal level. In fact, the Secretary of the Department of Education can at any time terminate a waiver.

Ed-Flex means greater local control for education decisions, has no cost to taxpayers, and is supported by all 50 Governors. Just 20 minutes ago I was talking to a Governor, and I basically said here we are, in Washington. We have a bill that is supported by every Governor in the United States of America. If we are allowed—and we are going to try again with the cloture vote today—to bring this bill to the floor for a vote, I bet you it will pass 99 to 1. That is how good the bill is. Yet, because of political posturing, because of polls, because of an agenda that someone else has, some have come to the floor of the Senate and are holding the bill hostage.

When I mentioned the Ed-Flex bill while traveling across Tennessee Saturday and Sunday talking to parents—I was in three high schools—parents basically said, what is going on in Washington, DC? I thought now was the time for nonpartisanship, for coming together, for bipartisanship. I thought you had finished the gridlock that we have seen in Washington. ''We expect more out of you, Senator FRIST.'' And I said, ''Yes, I will go back, and I will do my very best.'' Yet, I come back and again its gridlock.

Our bill very simply means education flexibility. It costs nothing, it has bipartisan support, and provides flexibility and accountability. Everything else you have heard about over the last few years is a new program, costing billions of dollars—silver bullets. People say, ''That's what we need because it sounds good. I go home and I talk to parents. They don't know what education flexibility is all about. But I tell them about adding quantity, adding numbers of teachers, and they listen. Well, that is the whole point. We need to do what is right. We don't need to do just what sounds good because what sounds good doesn't work. For the last 30 years we have done what sounds good, but without any improvement whatsoever.

We need Ed-Flex. We have to forget this gridlock. In the next 45 minutes or so, that will be our discussion.

I see that my distinguished colleague from the great State of Florida has arrived, and I would like to yield 10 minutes to my colleague.

Mr. MACK. I thank the Senator for yielding. I will not use that much time. I thank the Senator for the leadership he has provided on this legislation.

It was really not my intention to speak on this bill because I was under the impression that this bill had great bipartisan support, that we would bring this to the floor after coming out of committee, and it would breeze through the Senate. This is a piece of legislation that is supposedly—supposedly—supported by everybody.

I am pleased to speak in favor of the Ed-Flex bill. Our children will thrive when State and local communities are given the freedom to craft their education plans according to the unique education needs of their children. Local schools do more when Washington bureaucracies do less. That is what this bill does.

We are beginning the second week of consideration of this bill. We have been forced to file three cloture motions on what may be the most popular, most bipartisan legislation we will consider this Congress. I fear this may set the tone for the remainder of the 106th Congress, where consideration of any bill will be filibustered by the Democrats and drive partisanship to new heights.

As I implied a moment ago, I am in some ways confused by what is happening. I do not understand how a bill that supposedly is supported by an overwhelming number of Members on both sides of the aisle has been caught up in this constant and continuous effort to amend the bill.

I think the actions we have seen during this past week, and what we are anticipating through the balance of this week, raise the question about those who have cosponsored the bill and who say they are in support of it. I question whether they truly support the idea of Ed-Flex, which is to allow State and local communities to have more control over how dollars are spent. I think there is a ruse underway here. I think our colleagues on the other side of the aisle want to claim that they support the idea of giving local communities

and States more authority and more flexibility in how to spend their dollars, yet they come out here and offer amendment after amendment on this bill, knowing full well—and I ask the Senator from Tennessee if this is not the case—knowing full well the majority leader has said to them there will be other opportunities to offer these amendments on other education bills when they come forward. Is that an accurate statement?

Mr. FRIST. Mr. President, I would love the opportunity to respond to that, because that is exactly right. It is crystal clear that these are important issues in all of these amendments, all of which are so well intended, all of which sound so good. The point is, as we speak, right now in the Committee on Health, Education, Labor and Pensions, the large bill in which all resources going into kindergarten through 12th grade is being addressed, the committee is looking at how effective they are, how they interrelate to each other—because right now we have 180 or 190 or 200 programs, all in K-12 education, all with their own little bureaucracies, all well-intended, but with huge overlap, huge duplication, huge waste. Again the goals are very good, but we have a process to look at all of those.

That is ongoing as we speak. Hearings are going on right now in that particular committee on every one of these issues. That is the appropriate forum, not to bring them to the floor, especially when they cost $12 and $15 billion. And now is our opportunity, now, to pass that single, straightforward, education flexibility, no-cost, demonstrated-that-it-works, bipartisan-supported bill, and that is where the gridlock is.

Mr. MACK. As I said a minute ago, I really am serious now in raising questions about the sincerity of our colleagues on the other side of the aisle who purport that they are in favor of Ed-Flex but, yet, want to bog this piece of legislation down with a whole series of amendments they know are controversial.

There is nothing wrong with us dealing with controversial amendments and controversial issues. We do that throughout our entire political careers. The question is the timing of it. The question is the approach. I am, again, dismayed by the attitude that is being projected here. I, again, question sincerity.

Recently, we went through a 5- or 6-week period at the beginning of this new Congress with a very contentious issue dealing with the impeachment trial. But each side made a sincere effort to work with the other, and as a result I think we did a credible job. I think most people in the country think we did a credible job. Yet, on this the second piece of legislation we are considering, we are being forced to offer cloture motion after cloture motion after cloture motion—three so far. There should be no question in anyone's mind that the intention here, I believe, is now to kill this piece of legislation because it goes against their political interests. It goes against their philosophy.

In all honesty, the differences in the approach about education in America is clear. Our colleagues on the other side of the aisle are convinced the only way to improve education in America is to have a larger group of wiser bureaucrats in Washington make a determination about how resources ought to be allocated and what regulations ought to come down from Washington in order to solve this problem.

We have a totally different view. We think if we give this money to the States and the local communities, they can make better decisions about what their top spending priority is. In some local school districts that is school buildings. In other school districts that is school books. In others, that is teachers. We ought to allow them to make those decisions. We should not stand in their way.

Again, I came here to raise these points with respect to the process, as much as anything else. I remind everyone that, in the last Congress, there were 69 cloture motions that were filed—69 cloture motions. And here we are again battling along party lines about a bill that we were told might pass with 100 votes. I have serious reservations now whether that is going to happen. I think the actions of our colleagues on the other side of the aisle are very clear. They are now trying to kill the idea of allowing States and local communities to have more flexibility.

Again, I appreciate the work and the effort of the Senator from Tennessee on this issue. He has provided great leadership and I appreciate the opportunity and the time he has given me.

With that, I yield the floor.

Mr. FRIST. Mr. President, I thank my colleague from Florida because he really has hit the nail right on the head. We have a bill, Ed-Flex, with flexibility, with accountability, with broad support among the American people. That bill will help the American children, No. 1.

No. 2, we have Members on the opposite side of the aisle who recognize they can kill this bill. They can kill this bill. They cannot vote for cloture and therefore effectively filibuster this bill, but at the same time, hide the fact that is actually hurting our children. We hear, again, of all these well-intentioned programs. ''Oh, if we can pass those, we can help our children.'' Let's recognize the facts. By killing this bill, by filibustering this bill, they are preventing something which is demonstrated to work for our children from being delivered to our children right now.

Delaying tactics will put it off for a couple of years. Yes, it will eventually pass, but why not give our children something today? Why deny them that? Because of gridlock? Because they want to define an agenda or they want to take the President's agenda and bring it to the floor? It is hurting the children. We need Ed-Flex. We cannot tolerate gridlock.

I see my distinguished colleague from Georgia is on the floor. I would like to turn to him. Let me just briefly quote from a letter from the Democratic Governors' Association from 2 weeks ago, February 22, 1999, just to demonstrate the broad support and how what is happening on the other side, the obstruction, doesn't represent what the Democratic Governors tell us. They say:

> Democratic Governors strongly support this effort to vest state officials with more control over the coordination of federal and state regulatory and statutory authority in exchange for requiring more local school accountability.
>
> * * * * *
>
> Most importantly, S. 280 [which is our bill, the underlying bill here] maintains the careful balance needed between flexibility and accountability.

They end by saying:

> S. 280 [that's the Ed-Flex bill] is commonsense legislation that we believe deserves immediate consideration. We hope, therefore, that you will join in supporting its prompt enactment.

This is a letter to the U.S. Senate from the Democratic Governors' Association supporting ''prompt enactment,'' yet we see this obstructionist filibustering going on.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, first I acknowledge the Senator from Tennessee, the Senator from Vermont, the Senator from Oregon, Senators FRIST, JEFFORDS and WYDEN, for the extensive work they have been about trying to address this enormous issue in America. The data that we are receiving is striking to me, particularly in grades kindergarten through high school, about failed reading skills, last in math, last in science among the industrialized nations. America knows this. You can ask any community what is the No. 1 issue in the country today, and they will tell you we have trouble in our school systems. We are not effectively equipping all of our citizens with the ability to participate in this society. If that is allowed to continue, it will have the effect of crippling the United States in the new century.

I have often said, to the extent that any citizen is denied fundamental educational skills, we have abrogated their ability to be full citizens and to enjoy the benefits of American citizenship. An uneducated people will not be a free people. By allowing so many of our students to come through the system and to have missed the mark, we are in danger of creating for the first time in America a cast system. This never existed in America.

There is vast mobility in our population—people coming up the economic

ladder; people coming down. It is not static. We will change that, if we turn our heads away from allowing hundreds of thousands of our citizens to come through the educational system without being equipped to be a full participating citizen. That is why I was proud to be a cosponsor of this piece of legislation, the Education Flexibility Act, which has already proven itself in 12 States. This legislation expands what is working. We need those things that are working out there.

I do not believe I have ever in my career in the U.S. Senate seen a piece of legislation that has the approval of every Governor in the United States. I do not believe I have ever seen that happen before. Every Democrat Governor has signed a letter of endorsement for this piece of legislation; every Republican Governor has signed. How many times? It has never happened.

In the face of that, we are on day 7, holding reform legislation that has been proven to work, supported by every Governor, we are holding it hostage. We are holding all those students who can benefit from this hostage. They are last on the list. We have to serve some other agenda, some bureaucracy, some status quo. They come first. Just let those students sit out there with those miserable scores. Go ahead and let 30 and 40 percent of our students come to college unable to effectively read; go ahead and let the States spend millions upon millions of dollars to retrain them to see if they cannot somehow salvage a college education and career. So what? Just put the old fist down, dig your heels in and leave everything the way it is.

This reminds me of the struggle for welfare reform. You didn't have to be a rocket scientist to understand that program was in deep trouble. It was costing America trillions of dollars, and it was producing dependent, not independent, citizens. It was stunting the future of millions of Americans. Yet, it took a massive struggle, year after year, same crowd, I might point out. Just leave things the way they are; go ahead and let those folks lose their opportunity and their lives. Do not give them a chance to be full participatory citizens.

It finally got done, and millions of Americans have learned the American way. They have jobs. They are getting off welfare rolls by the thousands in every State.

So here we have another picture. We have an education system that is producing very troubling results. The Senator who is now presiding and his colleague come forward with a very clean, simple idea to try to help the States, which manage education, set better priorities, make the money be more effective, get in there and try to turn this around. What does turning around mean? It means you are saving the future for some child. You are giving them their chance. This kind of resistance is saying, OK go ahead and let them be strangled and choked down. That is OK. How can anybody in this Capital City accept the status quo? It is beyond me.

As you have said over and over, Mr. President, this bill, simple, clean, is about removing handcuffs and shackles and letting Governors and State legislatures and school boards get in there and get those resources to what the priorities are—in other words, reducing the overhead. You have said many times, and I agree completely, the Federal Government makes about 6 to 7 percent of the funding available for elementary education, but 50 percent of the overhead and administrative regulations are directly tied to that. Twenty-five thousand employees across America are required to administer that slim piece of the puzzle. Your bill gets at that, begins reducing that overhead and that waste, and diverting the attention of those teachers away from the kids to some regulatory system.

The amendments being talked about, bandied around town, miss the whole point. This is about reducing the overhead and putting more of the resources in the classroom.

Let me read from the genesis of one of these amendments desired to change your bill. It is called ''Applications.'' It is a section about how to apply under one of these amendments.

Applications Required: If any State chooses not to participate in the program under this Act, or fails to submit an approvable application . . .

Applications Required: The State educational agency of each State desiring to receive an allotment under this Act shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

That is the Secretary in Washington, not in Wyoming, not in Georgia, not in Tennessee. It is the person in Washington.

Contents: Each application shall include (1) the State's goals for using funds under this Act to reduce average class sizes in regular classrooms in grades 1 through 3, including—(A) a description of current class sizes in regular classrooms in the local educational agencies of the State; (B) a description of the State's plan for using funds under this Act to reduce the average class size in regular classrooms in those grades; and (C) the class-size goals in regular classrooms the State intends to reach and a justification of the goals; (2) a description of the State's educational agency's plan for allocating program funds within the State, including—(A) an estimate of the impact of these allocations on class sizes in the individual local. . . .

You get the point, Mr. President. This is going in the opposite direction. This misses the point. This is saying that the 50-percent burden, the 25,000 employees we have out there to try to regulate the color of the classroom, how tall it will be and the size of a chair, they want to do more of that. They want more administrative burdens. They want more strings.

This is a classic division. This is a group of people who are conducting an obstructionist filibuster to block what every Governor and a vast majority of the American people have concluded is needed: That there is too much regulatory burden; it locks down the system and does not allow the system to set proper priorities. And it infers, Mr. President, that that Governor, those legislators, that community, aren't smart enough to figure out what they need to do and it requires a Washington wizard wonk in the bowels of one of these buildings over here to tell them what they need to do. That is what this division is all about.

This legislation envisions that these local communities, the Governors of our States, have a sense of the problems there and they need to be given the room to go about solving them. We have done this on a pilot basis in 12 States, and it is working. It is working. This legislation opens it up so that all the States —and you come back to the point, it is absolutely unprecedented, Mr. President, that every Governor, of both parties, would document and send to the Congress a letter that says: ''Do this. We all agree.''

In the face of that bipartisan support, and in the face of that magnificent requirement and urgency, what are we facing here in the U.S. Senate on something that is totally agreed to? A filibuster, of all things. A filibuster. And you can only conclude—as we fought our way through welfare reform and as we fought our way through education reform last year, the commitment to the status quo, the inconceivable ability to turn away from the absolutely proven facts about what is happening in kindergarten through high school, with all that data—the fact that those kids are not getting the mark does not matter, it is just too bad, tough luck, because we are going to defend the establishment, the bureaucracy, the status quo. They are first; the kids are last.

Those Governors did not sign this letter at some willy-nilly picnic. They are on the ground, and they know what is happening. It is a frightening thing because if we leave this unchecked, we are going to have a very, very large population that cannot work in our system. And that is going to create havoc for our country, not to mention their condition or what you have done to that person. You have left them without the tools to take care of themselves and their new families and their communities. Mr. President, that is unconscionable policy, to turn and walk away from that. It is hard for me to believe.

So I have to say, I have not been here all that long, but I have to tell you that this particular filibuster is onerous because of who the beneficiaries are of your work. They are children, they are American children. They need help, and they need it now. And this is not the way they should be treated.

Mr. President, I yield the floor.

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Thank you, Mr. President.

I particularly thank the Presiding Officer and congratulate him for bringing this education flexibility bill to the floor of the U.S. Senate, where it should have been passed rapidly. It came out of committee 17–1. That is bipartisan. The Presiding Officer worked hard and found the common ground for education.

All during the trial, we talked about the need to get on with the country's business; and we did. We met mornings, up to the time of the trial, in committee meetings; and we passed bills out of committee. In fact, we passed more bills out of committee than passed the Senate in the entire first year I was here. We did the work of the country. We found common ground. We had a promise that common ground would be the way of the Senate for these next 2 years. Where did the common ground go? Seventeen to one; that is common ground.

I hear expressions that we want to do things for education. Well, at this moment I know that for the Democrats education is merely a smokescreen, flash-in-the-pan politics. The Republicans are insisting on a politics of performance; the Democrats are utilizing a politics of the polls. The Republicans insist on promises kept; the Democrats insist on promises made, politics as usual. That is what gives politics a bad name: Promising things you do not intend to deliver on.

We have been talking about paying for the promises we have already made. That is what IDEA is about. That is what we had extensive discussion about in the U.S. Senate last year when we figured out how special ed could be handled for this Nation. And we did find common ground. We also had this same sort of thing on the floor where, after the common ground, there were all kinds of wedge issues that were thrown in that did not have the detail done, that did not have the committee meetings held, that did not have the substance to follow through. Those were added and added and added, not successfully, but taking up the time of the Senate.

We finally got IDEA passed, funding of special education. In that, though, we did not follow all the promises that were made. We provided 7 percent of the funding, not 40 percent of the funding for special education. But that does not mean we did not tell the States what to do. We did. We said: ''States, you've got to put up the rest of that. We are just making promises.'' But we said that every time there was an opportunity for additional funding, that additional funding would go to special education until we got it funded. Right now we are following up on those promises.

People here are saying there is a lot of money that can be spent on education. And we are saying, OK, if there is a lot of money—and we are not agreeing that there is a lot of money—if there is a lot of money, fund what we promised first. School funding is one of the most important issues facing Wyoming and every other State. We are debating education flexibility, the Ed-Flex bill. This gives States more flexibility to use Federal money where the States and local districts need it most. State governments, local school boards, teachers and, yes, even the parents and kids need to be involved in setting the agenda for education. It should not be the Federal Government designating where every dollar is spent.

You get the impression, from the discussion we are having here, that the Federal Government is the answer to education. Let me tell you what the Federal Government does. The Federal Government provides 7 percent of local school funding. You would think we were the answer. We are a piddling little 7 percent, because we have said: ''States, we've given you the mechanism to fund education. We want you to fund education. We insist that you fund education to provide education for every single kid, and there's a court system you can put that in if you don't think your kids are getting an equal break.'' And it is being utilized.

The Federal Government only provides 7 percent of local funding, but we provide 50 percent of the paperwork. In order to get that 7 percent money, you are going to do 50 percent of your paperwork for the Federal Government. That paperwork burden requires the equivalent of 25,000 full-time people who work on paper, not on students. It takes six times as many employees to administer a Federal dollar as it does a State dollar. I want to tell you, paperwork won't teach kids.

I have a daughter who is a seventh grade English teacher. She is a dedicated teacher. She earned her master's degree while she was teaching by going to classes evenings and weekends so she could do a better job with her kids. She understands class size. It fluctuates from year to year and from how many people move into her part of the city. She also understands IDEA funding and the way it will affect her job and the way it will affect kids in her classrooms. She understands that is something that has been debated and the details have been filled in.

It is not like this idea of 100,000 new teachers, which sounds good. It is that flash-in-the-pan politics, the politics of promises. It doesn't have the details behind it. I suspect that every teacher out there in the classroom—including my daughter—when they find out that bill prohibits that money from being used for an increase in wages for them or even an increase in benefits, they would be livid. We have an obligation to the teachers who are already teaching out there, the ones who are doing a good job, the ones who in some instances have too big a class size. But their amendment prohibits them from getting a break.

That is because we haven't had committee hearings on it. We just went right to the politics of the polls. We just went out there and said to the American people, we have studied the polls, we know you would like more teachers in the classroom, we know you would like to have your kids in smaller classes, and we will promise that. Now, we won't deliver it, but we will promise it.

That is not how the Republicans here work. It was my understanding that we were going to have some common ground. And we found the common ground. I was encouraged. But I am not encouraged anymore. I watched the President crisscross the United States while we were having this trial. He crisscrossed the United States promising money: a billion here—nothing as small as a million—a billion here, a billion there, $4 billion there. I listened to his State of the Union Message while the trial was going on. My daughter called me the next day. She said, ''I had a kid show up to class today who had a couple of questions about the President's State of the Union Message. He brought the figures on the percentages that were used in the speech and he wanted to know if those didn't add up to 128 percent of the surplus?'' I tell you, the kid is good in math. The kid is good in listening.

Yes, promises were made crisscrossing this country, promises that can't be kept, promises that the American people have said take care of Social Security, balance the budget, pay down the debt if you can, and if there is anything left over at all, give it back to us. But it is much fancier to put in the press that we are going to give away more money. It sounds great to have 100,000 new teachers in the classroom.

One of the Members on the other side of the aisle recognized this morning that they have a second issue—that is more classrooms. He even pointed out why that was an issue. It is because if you put 100,000 teachers in there, you no longer have classroom space for the kids. It takes years of planning to be able to provide what they are talking about doing in a flash-in-the-pan moment for the press.

That is not good business. That is not good legislation. That is not how we ought to be operating.

At the beginning I gave the Senator from Tennessee the credit for this bill. Now, there are some Democrat cosponsors on this. There are a lot of them. But at the moment I am not giving them any credit. They are the ones who voted against cloture as though cloture stopped everything. Cloture ends our debate in 30 hours, 30 hours of talking about this important bill. That is a lot of time. Now it isn't time to demagog everything in the papers. It isn't time to do the flash-in-the-pan, promises-made politics about which we have been hearing. And it would wind up with a vote at the end where we would see if we were really in favor of education flexibility, less paperwork, so that teachers can spend more time in the classroom.

I now think that they do not want that kind of a vote. They would rather make promises.

The bill that we have before the Senate is extremely important. There are a lot of things in it that will actually improve the capability of the present teachers in the classroom. It won't restrict their pay. It won't keep them from getting additional benefits. But it will be funded because it doesn't require any funding. That is why we object to some of these measures being put on this bill at this moment.

Yes, it is an opportunity to make the press. No, it is not the appropriate place to make the press. The more appropriate place is to have the hearings, fill in the details, get the agreement on the common ground. The more appropriate place might be appropriations. But just in case appropriations doesn't come up—oh, yeah, that is a requirement; we have to cover appropriations—at any rate, even if it weren't to come up, there is the Elementary and Secondary Education Act. That is about funding. That is about elementary schools and secondary schools and how many teachers there are. Sounds like a more appropriate place to me. Sounds like the place where we ought to work for common ground instead of bringing it up without a hearing, bringing it up without the details pasted in.

There is a lot of demagoging going on here about amendments. There have been some 15 amendments. I have heard that we may have to debate all of them. Of the 15, 10 require new money, 2 or more will force new mandates on the States—more paperwork for that piddling little 7 percent money that the States get, something that guts flexibility, which is the intent of this bill.

The others are amendments to elementary and secondary education that are not appropriate on this bill. This bill isn't part of elementary and secondary education. It never was. We passed this bill last year with the President's support without all of those extraneous programs. Let me repeat: We had the President's support on the exact bill last year. Now the President says, If you don't add a bunch of these flash-in-the-pan politics for me, this additional spending, I will have to veto your bill.

I am a member of the Senate Health, Education, Labor, and Pensions Committee. I am glad to debate those new authorizations in that committee. I will not support authorizing these very expensive mandates on this bill. It doesn't make any sense to me, for example, to put a $1.4 billion mandate onto States and locals to hire new teachers without the details. One of those details is what happens when the Federal Government doesn't provide continuing funding. That is what we do with these flash-in-the-pan politics. We fund them for a while. We get the benefit of the press on them, and then we dump them like a hot potato because we can't afford them. Where does that leave the school district that hired that teacher, reduced the class size, promised those parents they would have a smaller class size? It puts them behind again with another mandate to fund the project that had some temptation for them when it was money being offered.

Let me ask another question. The way we work Federal legislation and regulations and paperwork, when it is recognized that we cannot afford that teacher who they have been given, who gets laid off, the Federal hire or the local hire? This bill is about local folks. This amendment is about Federal rules and regulations.

That is why the underlying bill is such good medicine. It is a good dose of common sense for a system beleaguered by Washington fever. It doesn't offer any new programs. It doesn't offer billions of dollars to hire a bunch of consultants. It offers a new format for innovation. That is it. The format is flexibility so States and locals can improve their schools.

Every Member of this body should support this bill. If it ever comes to a vote, I am sure they will support this bill. Or at least I was sure. But when you have cosponsors who don't even vote for cloture that would allow another 30 hours to debate the bill, I am not sure. I know our States will thank us for this bill, our schools will thank us for it, most importantly, our kids will thank us for doing it. It is time to put away the promises made—the politics of the poll, the politics as usual—and do some promises kept.

This bill is a promise made. It is a promise that can be done. It is the common ground that was talked about during the trial. It is time to find that common ground.

Mr. President, I yield the floor and reserve the remainder of the time.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I appreciate the opportunity to come back to the floor to talk about Ed-Flex and the importance of that measure for the good education of our kids, and that is what we ought to be talking about.

We heard a lot of posturing. Everybody thinks the ideas that come out of Washington are great. Frankly, listening to some of the ideas, I think those are good ideas. If we were a great big United States school board, if we were making the decisions, if we had the responsibility and the authority of making decisions for educating our kids, these might be ideas we would adopt. In any event, they are good ideas to be talking about.

There is a real disconnect, and that is what the Ed-Flex measure begins to address. I sincerely hope that our colleagues on the other side of the aisle will let us have a vote on this very, very important bill. We need to move on. There are a lot more things we need to do in education beyond this.

I am going to have a very radical proposal to get the Federal Government strings off local education all the way. But I think Ed-Flex is a good bipartisan start, and it builds on a successful example that has been tried in 12 States. It is working. It is working because it gives the flexibility to local school districts to decide how they wish to use the money.

The people in the local schools—the school board members, the teachers, the administrators, the parents—know the names of the kids. They know Joe and Sally and Harry and Willie and Thelma and the kids who are being educated in that school district. They know what their challenges are. Some of the good ideas we have in Washington may not work in a particular school district. It may not be the right recipe. Who better to make the decision than the people who know the children, who know their potential, who know their problems?

I have found in meetings with educators and parents in every section of this State—in the metropolitan areas, in the urban schools, in the suburban schools, in the rural schools, in the big school districts and the small school districts—that there is one theme that has become a recurring and a growing crescendo. It is: The Federal camel's nose is under the education tent, and it is not doing good things. It is taking time away from the task of educating the kids. When a teacher has to spend hours writing a grant or a principal has to spend time to figure out if they are doing things the way the bureaucrats in Washington want them, he or she is not worrying about what is good for educating Sally or Tommy or Ralph or Cheryl or the kids who are actually getting educated.

I am very fortunate, my son is finishing up high school. We watched during his education; we wanted to know what was going on in the classroom, how was he working with his teacher. We as parents knew that. The people who run the local schools know that, but those coming up with great ideas in Washington have no idea of the names of the kids or what their problems are.

I thought maybe it would help my colleagues if I shared a few of the stories we are getting from schools in our State. These are smaller schools. It does not matter what the size of the school is, the child who is in that school is just as important whether she or he is in a major metropolitan school district or in a small rural district.

Here is a letter from the superintendent of the Bismarck R–V School District. In part it says:

> . . . In our small school of 700 students, we receive less than $15,000 in the combination of Title II, Title IV and Title VI funds. The restrictions on these funds make them very difficult to deal with for such a small amount of dollars. Some years we consider not using them, simply because the time and effort are not worth the small amount we receive. Removal of some or all of the restrictions would allow us to use the funding to better meet the needs of our school instead of spending the funds in the very restrictive designated areas of Federal funding.

Signed, Donald E. Francis, Superintendent, Bismarck R–V Schools.

North Mercer District R–3 Public Schools:

. . . As the system now works we are overwhelmed by federal and state forms and regulations. We also sacrifice many dollars to support federal and state bureaucracies that compound the forms, rules and regulations.

We encountered one program this school year with in excess of 150 pages of instructions. We would like to bring dollar, services and equipment directly to children for their educational benefit.

And one more. The Webb City School District R–7:

. . . Those of us who have spent a career in education have repeatedly experienced the jubilation of anticipation that arose from promises made by the Federal Government toward education. Unfortunately, however, excitement was then always tempered by the reality of the red tape that accompanied the promise. As the result, frustration was generally the only product forthcoming.

Signed, Ronald Lankford, Superintendent of Schools, Webb City School District R–7.

Mr. President, that is just a very small sample of the kind of response we are getting from our schools. I challenge any one of you here, any one of our colleagues, to go home and ask the educators who have the job—it is a wonderful opportunity, it is the most important job that we have in this country—of educating our students: Are the 763 different Federal education programs we have right now improving education? I get an overwhelming no. We have to worry about the Washington bureaucracy rather than the needs of the kids in our classrooms.

This reality has been recognized. The Nation's Governors—Democrat, Republican, and Independent—50 to 0, said, ''We want to expand Ed-Flex; we want the opportunity in all of the schools in this country to get rid of and cut away some of the bureaucracy and some of the redtape and put that money directly back to education.''

There is bipartisan support for this bill. The bill has been supported by the President, by the Secretary of Education, both of whom were former Governors. I am a former Governor. I served with both of them, and we know the importance of education. But the decisions on how we spend the last dollar of Federal aid are not best made here, they are best made at the local school district level.

I really hope we can move forward and get this money directly to the schools, giving them the flexibility to use those funds where they are most needed. I urge our colleagues to allow us to do so and pass this bill and go on to the many other important issues involving education that we will be facing later this year.

Mr. President, I yield the floor and reserve the remainder of the time.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, I associate myself with the remarks of the senior Senator from Missouri. He speaks so clearly about the frustration that exists at local levels today of decisionmaking for education, in that sometimes what might work in New York City just does not seem to fit down on the farm or near the farm in Missouri or in a rural school district of Idaho, and that is the reason for a demonstration program of 12 States. That is why we have determined that a greater amount of flexibility is necessary in the area of education.

For the life of me, I cannot understand why Democrats want to block this bipartisan bill in the name of education. There is adequate time to debate other issues in education. I hope they will work with us. Coming out of the impeachment process I thought we were going to get a bipartisan environment from which to move the Nation's business forward. The Nation, I hope, is listening today. The Nation's business is education. And it isn't moving forward. It isn't moving forward not because of Republicans but because of some folks on the other side of the aisle who think their agenda of larger Federal involvement and greater Federal control is an approach to educate our young people. Let the parents, the educators and the school boards decide.

Mr. President, I yield the floor.

Mr. FEINGOLD. Mr. President, I rise today to express my support for the Kennedy/Murray class size amendment. As we know, Mr. President, education is serious concern for people across the country, and I am pleased to see an education bill as one of the first priorities in this Congress.

Mr. President, last year Congress provided a one-time appropriation in the omnibus budget bill to hire approximately 30,000 new teachers across the country. The Kennedy/Murray amendment we are considering today authorizes a continuation of this effort for the next 6 years. This sends the signal to local school districts that Congress understands the importance of smaller classes and is committed to funding for class size reduction. This amendment takes a positive step toward helping school districts reduce class size as part of an overall effort to improve education and ensure that our children have the best chance to excel and reach their full potential.

As my own state of Wisconsin can attest—smaller classes make a difference in student's lives. Wisconsin's Student Achievement Guarantee in Education or SAGE program, now in its third year, continues to be a model for the nation in how to implement successfull education reforms in our public schools by reducting public school class size in the earliest grades. I am very proud that Wisconsin's SAGE program is leading the charge to reduce public school class size across the nation, and pleased that this amendment will help keep SAGE thriving in Wisconsin.

The recently released second year SAGE evaluation again empirically demonstrates what we instinctively know; students in smaller classes get more attention from teachers and teachers with fewer students have more time and energy to devote to each child. Specifically, the first and second year evaluations confirm the achievements of SAGE students in all tested areas: mathematics, reading and language arts. The report shows total scores for SAGE students were significantly higher than those students at comparison schools.

The evidence shows that teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks and cover more material more effectively. Again, Mr. President, SAGE has shown conclusively that the significance of small class size should not be underestimated and cannot be ignored.

Class size should be at the forefront of the education agenda because there is a great national purpose in helping local schools reduce class size for children in the earliest grades. I would like to state Mr. President my strong belief that education should remain solidly a state and local function. However, I believe the federal government can have a constructive role supporting local efforts. Kennedy/Murray class size proposal is a perfect example.

Finally, Mr. President, I urge my colleagues to reach across the aisle to ensure that education is a top priority in the 160th Congress. I look forward to working in a bipartisan manner to reach consensus on these important issues to ensure that our children receive the highest quality education possible.

REPORT OF THE 1998 TRADE POLICY AGENDA AND 1997 ANNUAL REPORT ON THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1999 Trade Policy Agenda and the 1998 Annual Report on the Trade Agreements Program. This report includes the Annual Report on the World Trade Organization, as required by section 124 of the Uruguay Round Agreements Act (19 U.S.C. 3534).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR CALENDAR YEAR 1996—MESSAGE FROM THE PRESIDENT—PM 14

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Health, Education, Labor, and Pensions.

To the Congress of the United States:

It is my pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for Fiscal Year 1997.

The Arts Endowment awards more than one thousand grants each year to nonprofit arts organizations for projects that bring the arts to millions of Americans. Once again, this year's grants reflect the diversity of our Nation's culture and the creativity of our artists. Whether seeing a classic theatrical production in Connecticut or an art exhibition in Arizona, whether listening to a symphony in Iowa or participating in a fine arts training program for inner-city students in Louisiana, Americans who benefit from Arts Endowment grants have experienced the power and joy of the arts in their lives.

Arts Endowment grants in 1997 supported:

—projects in theater, dance, music, visual arts, and the other artistic disciplines, demonstrating that our diversity is an asset—and helping us to interpret the past, understand each other in the present, and envision the future;

—folk and traditional arts programs, which strengthen and showcase our rich cultural heritage; and

—arts education, which helps improve our children's skills and enhances their lives with the richness of the arts.

The arts challenge our imaginations, nourish our spirits, and help to sustain our democracy. We are a Nation of creators and innovators. As this report illustrates, the NEA continues to celebrate America's artistic achievements and makes the arts more accessible to the American people.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the second time and placed on the calendar:

S. 564. A bill to reduce class size, and for other purposes.

S.J. Res. 13. Joint resolution proposing an amendment to the Constitution of the United States to protect Social Security.

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–2103. A communication from the Attorney of the Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Authorization for Continued Manufacture of Certain MC–331 Cargo Tanks with Specified Shortages'' (RIN2137–AD31) received on March 1, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2104. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea'' (I.D. 022699B) received on March 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2105. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/''Other Flatfish'' Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (I.D. 022699C) received on March 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2106. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands'' (I.D. 022699A) received on March 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2107. 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; Light Vehicle Brake Systems'' (RIN2127–AH55) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2108. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Burnet, TX'' (Docket 98–ASW–48) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2109. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Austin, TX'' (Docket 98–ASW–49) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2110. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; San Angelo, TX'' (Docket 98–ASW–52) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2111. 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; Austin, Horseshoe Bay, TX and Revocation of Class E Airspace, Marble Falls, TX'' (Docket 98–ASW–51) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2112. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Taylor, TX'' (Docket 98–ASW–50) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2113. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Roswell, NM'' (Docket 98–ASW–53) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2114. 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; Ada, NM'' (Docket 98–AGL–63) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2115. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aerospatiale Model ATR72 Series Airplanes'' (Docket 98–NM–118–AD) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2116. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BMW Rolls-Royce GmbH Models BR700–710A1–10 and BR700–710A2–20 Turbofan Engines'' (Docket 98–ANE–74–AD) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2117. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Air Clearance Restrictions at the Entrance to Lakeside Yacht Club and the Northeast Approach to Burke Lakefront Airport in Cleveland Harbor, OH'' (Docket 09–97–002) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2118. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Lower Grand River, LA'' (Docket 08–99–008) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2119. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, New Jersey'' (Docket 01–98–125) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2120. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Sunken Fishing Vessel Cape Fear, Buzzards Bay Entrance'' (Docket 01–99–008) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2121. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Scharfman Batmitzvah Fireworks, East River, Newton Creek, New York'' (Docket 01–99–004) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2122. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; River Rouge (Short Cut

Canal), Michigan'' (Docket 09–98–055) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2123. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Allison Engine Company, Inc. AE2100A, AE2100C, and AE2100D3 Series Turbofan Engines, Correction'' (Docket 98–ANE–83) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2124. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Allison Engine Company, Inc. AE3007A and AE3007A1/1 Turbofan Engines, Correction'' (Docket 98–ANE–14) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2125. 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 Models 3101 and 3201 Airplanes'' (Docket 98–CE–76–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2126. 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 737 Series Airplanes'' (Docket 98–NM–148–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2127. 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 A330 and A340 Series Airplanes'' (Docket 97–NM–316–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2128. 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 A300–600 Series Airplanes'' (Docket 98–NM–301–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2129. 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 777 Series Airplanes'' (Docket 98–NM–320–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2130. 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 SF340A and SAAB 340B Series Airplanes'' (Docket 97–NM–236–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2131. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes'' (Docket 98–NM–317–AD) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2132. 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; El Dorado, KS'' (Docket 99–ACE–5) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2133. 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; Dubuque, IA'' (Docket 98–ACE–58) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2134. 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; Fort Madison, IA'' (Docket 98–ACE–57) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2135. 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; Kirksville, MO'' (Docket 98–ACE–57) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2136. 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; Springfield, MO'' (Docket 99–ACE–8) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2137. 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; Newton, KS'' (Docket 99–ACE–3) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2138. 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; Perry, IA'' (Docket 98–ACE–52) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2139. 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; Boonville, MO'' (Docket 99–ACE–6) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2140. 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; Selinsgrove, PA'' (Docket 98–ACE–45) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2141. 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; Leadsville, CO'' (Docket 98–ANM–08) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2142. 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; Rockland, ME'' (Docket 98–ANE–95) received on February 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2143. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' (Docket 29467) received on February 22, 1999; 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. KOHL (for himself and Mr. FEINGOLD):

S. 567. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THOMAS:

S. 568. A bill to allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. CONRAD, and Mr. GRAMS):

S. 569. A bill to amend the internal revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income; to the Committee on Finance.

By Mr. HELMS:

S. 570. A bill to amend chapter 3 of title 28, United States Code, to eliminate 2 vacant judgeships on the Fourth Circuit Court of Appeals, and for other purposes; to the Committee on the Judiciary.

S. 571. A bill to amend chapter 5 of title 28, United States Code, to eliminate a vacant judgeship in the eastern district and establish a new judgeship in the western district of North Carolina, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself and Mr. FEINGOLD)

S. 567. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program; to the Committee on Agriculture, Nutrition, and Forestry.

THE DAIRY PROMOTION FAIRNESS ACT

Mr. KOHL. Mr. President, I rise today to join Senator FEINGOLD to introduce the ''Dairy Promotion Fairness Act.'' This measure will further our nation's dairy marketing board's efforts to promote the consumption of healthy dairy products produced by family dairy farms and to fund research critical to the development of new dairy products.

This effort is needed as a matter of fairness to our nation's dairy farmers. When enacted, our legislation will require that all dairy producers whose products are sold in the United States contribute to the promotional effort. Currently, domestic producers of dairy products like cheese, butter, and yogurt, all pay a promotional fee to help promote the dairy products produced in this country. Importers do not pay this fee.

I was extremely surprised to find out that dairy producers can import these goods into the United States and not contribute to the promotional sales efforts sponsored by our domestic industry. This change will require those selling incoming products to contribute the same assessment as the domestic dairy farmers do.

This bill supports the dairy marketing board's efforts to educate consumers on the nutritional value of dairy products. It also treats our farmers fairly—by asking them not to bear the entire financial burden for a promotional program that benefits importers and domestic producers alike. 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. 567

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 ''Dairy Promotion Fairness Act''.

SEC. 2. FUNDING OF DAIRY PROMOTION AND RESEARCH PROGRAM.

(a) DECLARATION OF POLICY.—Section 110(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501(b)) is amended in the first sentence—

(1) by inserting after ''commercial use'' the following: ''and on imported dairy products''; and

(2) by striking ''products produced in the United States.'' and inserting ''products.''.

(b) DEFINITIONS.—Section 111 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4502) is amended—

(1) in subsection (k), by striking ''and'' at the end;

(2) in subsection (l), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(m) the term 'imported dairy product' means any dairy product that is imported into the United States, including dairy products imported into the United States in the form of—

''(1) milk and cream and fresh and dried dairy products;

''(2) butter and butterfat mixtures;

''(3) cheese; and

''(4) casein and mixtures; and

''(n) the term 'importer' means a person that imports an imported dairy product into the United States.''.

(c) CONTINGENT REPRESENTATION OF IMPORTERS ON BOARD.—Section 113(b) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(b)) is amended—

(1) by inserting ''NATIONAL DAIRY PROMOTION AND RESEARCH BOARD.—'' after ''(b)'';

(2) by designating the first through ninth sentences as paragraphs (1) through (5) and paragraphs (7) through (10), respectively, and indenting appropriately;

(3) in paragraph (2) (as so designated), by striking ''Members'' and inserting ''Except as provided in paragraph (6), the members''; and

(4) by inserting after paragraph (5) (as so designated) the following:

''(6) IMPORTERS.—

''(A) IN GENERAL.—If representation of importers of imported dairy products is required on the Board by another law or a treaty to which the United States is a party, the Secretary shall appoint not more than 2 members who are representatives of importers.

''(B) ADDITIONAL MEMBERS; PROCEDURES.—The members appointed under this paragraph—

''(i) shall be in addition to the members appointed under paragraph (2); and

''(ii) shall be appointed from nominations submitted by importers under such procedures as the Secretary determines to be appropriate.''.

(d) IMPORTER ASSESSMENT.—Section 113(g) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(g)) is amended—

(1) by inserting ''ASSESSMENTS.—'' after ''(g)'';

(2) by designating the first through fifth sentences as paragraphs (1) through (5), respectively, and indenting appropriately; and

(3) by adding at the end the following:

''(6) IMPORTERS.—

''(A) IN GENERAL.—The order shall provide that each importer of imported dairy products shall pay an assessment to the Board in the manner prescribed by the order.

''(B) RATE.—The rate of assessment on imported dairy products shall be determined in the same manner as the rate of assessment per hundredweight or the equivalent of milk.

''(C) VALUE OF PRODUCTS.—For the purpose of determining the assessment on imported dairy products under subparagraph (B), the value to be placed on imported dairy products shall be established by the Secretary in a fair and equitable manner.''.

(e) RECORDS.—Section 113(k) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(k)) is amended in the first sentence by striking ''person receiving'' and inserting ''importer of imported dairy products, each person receiving''.

Mr. FEINGOLD. Mr. President, I rise in strong support of legislation introduced by the senior Senator from my home State of Wisconsin. Today, Senator KOHL has introduced a measure important not only to Wisconsin's dairy farmers but to dairy farmers all over the country.

The National Dairy Promotion and Research Program collects roughly $225 million every year from American dairy farmers, who each pay a mandatory 15 cents into the program for every 100 pounds of milk they produce. This program is designed to promote dairy products to consumers and to conduct research relating to milk processing and marketing.

While 15 cents may appear to be a small amount of money, multiplied by all the millions of pounds of milk marketed in this country, it adds up to thousands of dollars each year for the average domestic producer. Given the magnitude of this program, it is critical that Congress take seriously the concerns producers have about the way their promotion program is run. This legislation addresses one of the most important of those concerns: importers reap the same promotional benefits as their U.S. counterparts, yet they don't pay a dime into the program.

The National Dairy Promotion and Research Board conducts generic promotion and general product research. Domestic farmers and importers alike benefit from these actions. This bill, Mr. President, provides equity to domestic producers who have been footing the bill for this promotion program all by themselves for over 10 years.

The Dairy Promotion Fairness Act requires that all dairy product importers contribute to the Dairy Promotion Program at the same rate as domestic dairy farmers. This is not an unusual proposal, Mr. President. Many of our largest generic promotion programs for other commodities already assess importers for their fair share of the program, including programs for pork, beef, and cotton.

This legislation is particularly important in light of the 1994 passage of the General Agreement on Tariffs and Trade (GATT). GATT has boosted imports of dairy products in the past several years. A dairy promotion assessment on importers would also be allowed under GATT since our own milk producers are already paying the same assessment.

We have put our own producers at a competitive disadvantage for far too long. It's high time importers paid for their fair share of this program. I urge my colleagues to support this legislation and to end the subsidization of foreign farmers on the backs of our own.

By Mr. THOMAS:

S. 568. A bill to allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions; to the Committee on Energy and Natural Resources.

LEGISLATION TO ESTABLISH A FEE SYSTEM FOR COMMERCIAL FILMING ACTIVITIES

Mr. THOMAS. Mr. President, I rise today to introduce legislation which would allow the Department of the Interior and the Department of Agriculture to charge a fee when commercial filming activities take place on public lands in their jurisdiction. This legislation is another important part of our efforts to preserve and protect the pristine beauty of our national parks and other public lands. A similar version of this legislation was included in S. 1693, the Vision 2020, National Parks Restoration Act, when that bill passed the Senate. Unfortunately, the language was removed from that bill when it passed the House of Representatives.

The purpose of this measure is very simple. When commercial film companies use our nation's public lands, they should pay for that privilege. Our nation's parks and other lands provide an outstanding backdrop for the commercial film industry and we should ensure that these areas are not negatively impacted by that use.

This legislation is not designed as a ''bash Hollywood'' bill. I want to comment the commercial film industry for their efforts to work with me and other members of Congress to find a reasonable solution to this matter. Although there are those in the industry who do not want to pay for the use of these lands, by and large the film industry is willing to pay a fee for filming on public lands as long as it is reasonable, understandable and fair. I believe the bill I am introducing today meets all of those criteria.

Let me take a few moments to outline this measure. The legislation

would authorize both the Secretary of the Interior and Secretary of Agriculture to charge a reasonable fee for commercial filming activities on federal lands in their jurisdiction. The fee will be based on a number of criteria including; the number of days the filming takes place within the areas, the size of the film crew and the amount and type of equipment used. The agencies would also be directed to recover any costs incurred as a result of filming activities such as administrative and personnel costs. All of the fees charged for film activities would stay at the site where they are collected.

We have also included language in this bill to address the issue of still photography on public lands. As we worked to craft the parks bill last year, we heard from a large number of still photographers who were worried about the impact this legislation would have on them. In order to address those concerns, we have included language in our bill exempting still photography unless the agency determines that this activity will disrupt the public's use and enjoyment of the resource. I believe this is a fair way to address this question.

Mr. President, the time has come to establish a film fee system on our nation's public lands that is sensible and understandable. Once again, I want to stress that this bill is not designed to punish the film industry. Instead, this measure will benefit both the public and the film industry by establishing simple and understandable system for operating on federal lands. Establishing a sound fee system for filming on public lands can be a ''win-win'' for the public and the film industry and I hope the Senate will take quick action on this important measure.

By Mr. GRASSLEY (for himself, Mr. CONRAD, and Mr. GRAMS):

S. 569. A bill to amend the Internal Revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income; to the Committee on Finance.

THE FARM INDEPENDENCE ACT OF 1999

Mr. GRASSLEY. Mr. President, today, along with Senators CONRAD and GRAMS of Minnesota, I am introducing a bill to exempt certain farm rental income from the self-employment tax.

The self-employment tax has been applied equally to farmers and other business people for the last 40 years. Our bill would ensure equality in the future. It states that farm landlords should be treated the same as small business people and other commercial landlords, and they should not have to pay self-employment tax on cash rent income.

The current law is drafted to ensure that self-employment tax applies to income from labor or employment. Farm landlords were only taxed when they participated in the operation of the farm. Income from cash rent represents the value of ownership or equity in land, not labor or employment. Therefore, the self-employment tax should not apply to income from cash rent. Yet, this is not they way that the Internal Revenue Service drafted its technical advice memorandum on this matter. This has resulted in farmers and retired farmers now paying a 15.3 percent self-employment tax on cash rent.

The IRS has gone too far. The law should be what people have counted on for 40 years. Unless there is an act of Congress, history should be respected. The test of time will prove that the taxpayer was right and that the IRS was wrong, particularly now that there is a difference between the farm and city sector. Therefore, we are introducing this bill so that farmers and retired farmers will not be singled out unfairly by the IRS.

Specifically, this legislation would remove the code's ambiguity and recapture its original intent. The legislation would clarify that when the IRS is applying the self-employment tax to cash rent farm leases, it would limit its applicability to the lease agreement. This is not an expansion of the law of taxpayers. Rather, it would limit the anti taxpayer expansion initiated by the Internal Revenue Service. The tax law does not require cash rent landlords in cities to pay the self-employment tax. Indeed cash rent farm landlords are the only ones required to pay the tax. This is due to a 40-year-old exception that allowed the retired farmers of the late 1950's to become vested in the Social Security system.

The law originally imposed the tax on farm landlords only when their lease agreements with the renters required them to participate in the operation of the farm and in the farming of the land.

Forty years later, the IRS has expanded the application of self-employment tax for farmland owners. The tax court told the IRS that in one particular instant they could look beyond the lease agreement. On this very limited authority, the IRS has expanded one tax court case into national tax policy.

Our legislation will bring fairness between farmer landlords and urban landlords. It will clarify that the IRS should examine only the lease agreement. It would preserve the pre-1996 status quo. It would preserve the historical self-employment tax treatment of farm rental agreements, equating them with landlords in small businesses and commercial properties. The 1957 tax law was designed to benefit retired farmers of that generation so they would qualify for Social Security.

Congress does not intend that farm owners be treated differently from other real estate owners, other than they have been historically. We need clarity provided in our legislation in order to turn back an improper, unilateral, and targeted IRS expansion of settled tax law.

I urge my colleagues to join us in addressing this unfair position taken by the Internal Revenue Service.

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. 569

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 ''Farm Independence Act of 1999''.

SEC. 2. WRITTEN AGREEMENT RELATING TO EXCLUSION OF CERTAIN FARM RENTAL INCOME FROM NET EARNINGS FROM SELF-EMPLOYMENT.

(a) INTERNAL REVENUE CODE.—Section 1402(a)(1)(A) of the Internal Revenue Code of 1986 (relating to net earnings from self-employment) is amended by striking ''an arrangement'' and inserting ''a lease agreement''.

(b) SOCIAL SECURITY ACT.—Section 211(a)(1)(A) of the Social Security Act is amended by striking ''an arrangement'' and inserting ''a lease agreement''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

ADDITIONAL COSPONSORS

S. 174

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 174, a bill to provide funding for States to correct Y2K problems in computers that are used to administer State and local government programs.

S. 336

At the request of Mr. LEVIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 343

At the request of Mr. BOND, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 398

At the request of Mr. CAMPBELL, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 429

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 429, a bill to designate 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. 471

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 471, a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit on student loan interest deductions.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 486

At the request of Mr. ASHCROFT, the names of the Senator from Oklahoma (Mr. NICKLES), the Senator from South Carolina (Mr. THURMOND), and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 486, a bill to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

S. 494

At the request of Mr. GRAHAM, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 494, a bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the medicaid program.

S. 517

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 517, a bill to assure access under group health plans and health insurance coverage to covered emergency medical services.

S. 559

At the request of Mr. GRAMM, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 559, a bill to designate the Federal building located at 33 East 8th Street in Austin, Texas, as the ''J.J. ''Jake'' Pickle Federal Building.''

NOTICE OF HEARING

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Wednesday, March 10, 1999, in SR–328A at 8 a.m. The purpose of this meeting will be to review the nature of agricultural production and financial risk, the role of insurance and futures markets, and what is and what should be the Federal Government's role in helping farmers manage risk.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the full Committee on Armed Services be authorized to meet on Tuesday, March 9, 1999, at 9:30 a.m. in closed session, to receive testimony on U.S. Government policies and programs to combat terrorism.

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

COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the full Committee on Armed Services be authorized to meet on Tuesday, March 9, 1999, at 10:45 a.m. in open session, to receive testimony on U.S. Government policies and programs to combat terrorism.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 9, 1999, at 10 a.m. and 2 p.m. to hold two hearings.

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

COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, March 9, 1999, at 10 a.m. in room 226 of the Senate Hart Office Building to hold a hearing on Interstate Alcohol Sales and the 21st Amendment.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, March 9, 1999, to conduct a hearing on the International Monetary Fund.

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

SUBCOMMITTEE ON INVESTIGATIONS

Mr. CRAIG. Mr. President, I ask unanimous consent on behalf of the Permanent Subcommittee on Investigations of the Governmental Affairs Committee to meet on Tuesday, March 9, 1999, at 9:30 a.m. for a hearing on the topic of Deceptive Mailings and Sweepstakes Promotions.

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

ADDITIONAL STATEMENTS

TRIBUTE TO MALE HIGH SCHOOL

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to Male High School's Championship Football team in Louisville, Kentucky on the occasion of their annual awards banquet.

The Male High School Bulldogs have long held a reputation for excellence in Kentucky and throughout the nation. With the leadership of The Bluegrass State's finest high school football coach, Bobby Redman, it's no wonder the team has gone so far. It is clear to players, parents, coaches and students alike when they see Bobby on the field with his team that his heart and soul are rooted in Bulldogs football. Bobby's marked dedication to his team and his school are admirable, and I'm certain my feelings are shared by the entire Male family.

Tonight I congratulate you, the Male High School football team, on your commitment to excellence both on the field and in the classroom, and thank you for working so hard to continue giving high school football in Louisville an honorable name. Players become great because of their hard work and commitment to themselves and their team. You have each spent countless hours before and after school lifting weights, memorizing plays, and practicing and preparing for games. You have each spent Friday afternoons at pep rallys getting ready for evening games, felt the stress of wanting to play your best and win, and experienced the emotional high as you finally rush the field. You have dedicated your high school careers to Male and to its football team, and my colleagues and I commend you.

Not only is Male High School known for their powerhouse of a football team, most recently leading the Bulldogs to victory as 1998–99 4–A State Champions, but they also are known for their commitment to academic success. Male has been recognized as a National Exemplary School twice in recent years by the United States Department of Education, and has received the Flag of Excellence by the State of Kentucky for consistently high academic achievement. Ninety percent of Male graduates continue their education at colleges and universities, and many of them receive partial or full scholarships to attend. It is commendable that students so profoundly talented on the football field are also concerned about their academic achievements.

I am certain that the legacy of excellence that Male High School football players and coaches have left will continue on, and will encourage and inspire others toward that same goal. On behalf of myself and my colleagues, thank you for your contribution to the Louisville community, the State of Kentucky, and to our great nation.●

30TH ANNIVERSARY OF WTOP RADIO

● Ms. MIKULSKI. Mr. President, I would like to congratulate one of our local news outlets, WTOP Radio, on their 30th anniversary. Thirty years ago, on March 9, 1969, WTOP began its news broadcasts. Today, WTOP has become a vital source of news and information in the nation's capital. Along the way, Dave McConnell, WTOP's congressional correspondent, has become a familiar voice to Washington residents and one of our nation's most respected journalists.

America's Constitution is unique and special in the responsibility it has bestowed on our nation's press corps—in print, on TV, and on the radio. With our revered First Amendment, the nation gives reporters the awesome responsibility to help communicate the needs of the nation and report on the day-to-day governmental events that affect all Americans. In return, we hope those reporters recognize that responsibility and carefully tend their role as stewards of public information.

WTOP has taken that responsibility seriously and sought to provide high-quality, timely information for residents in the greater Washington area. For thirty years, WTOP has covered the news as it happened—in Washington and around the world. From the War on Poverty to the War in Iraq, WTOP's reporting has kept millions of Washingtonians informed. They have tracked legislation that affects residents in Virginia, the District of Columbia, and Maryland, and helped bring perspective to issues facing the nation.

As important, WTOP provides a critical service to local residents in alerting them to breaking local stories. In addition to their comprehensive news coverage, they have warned residents of dangerous weather, alerted commuters to traffic snarls, and celebrated sports victories of our Orioles, Ravens, and Redskins. WTOP's committed staff are part of the daily lives of countless Washingtonians who listen as they brush their teeth, drive to and from work, or cook the evening meal. My constituents in Maryland's DC suburbs rely on them to get information they need to know to stay informed, stay healthy, and stay tuned.

I commend the WTOP family and its listeners on 30 years of service to the greater Washington area and welcome 30 more years. Our nation's capital, and our nation, are proud of their work and appreciative of their commitment.●

TRIBUTE TO MR. DONALD DEROSSI

● Mr. TORRICELLI. Mr. President, I rise today in recognition of Donald DeRossi who is this year's recipient of the Distinguished Service Award at the Hendricks House's 5th Annual Awards Dinner. As a small business owner, he has set an outstanding example of quality, production, and leadership. These business qualities have been reflected in his extensive community and charitable activities.

Mr. DeRossi began working at DeRossi & Son Company in Vineland, New Jersey in 1960 under his father, Dominick and his grandfather, Angelo. From them, Mr. DeRossi learned all aspects of the clothing business. Today, DeRossi is seen as a premier clothing supplier of military dress coats for the US Defense Department. Under Mr. DeRossi, who currently serves as president, the company has received numerous awards. Most recently, DeRossi received the United States Small Business Administration ''Administrator's Award for Excellence,'' as well as the Defense Supply Center's Small Business contractor of the year award.

Mr. DeRossi has put the same enthusiasm and energy into his community and charitable work as he has put into his business. He has dedicated countless hours of service to such commendable causes as the United Way, the YMCA, the American Heart Association, the American Cancer Association, the March of Dimes, the 4H Club, and Muscular Dystrophy. He has sat on the Boards of such community organizations as the Urban Enterprise Zone, Ellison School, the University of Medicine and Dentistry of New Jersey, and the Vineland Chamber of Commerce.

On the eve of his receipt of this award, Mr. DeRossi deserves to be recognized for his outstanding services to both the business community and his community of Vineland, New Jersey. He is an exemplary businessman, and I am grateful to have the opportunity to show my appreciation for all he has accomplished.●

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. At this point morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords Amendment No. 31, in the nature of a substitute.

Bingaman Amendment No. 35 (to Amendment No. 31), to provide for a national school dropout prevention program.

Lott (for Jeffords) Modified Amendment No. 37 (to Amendment No. 35), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Gramm (for Allard) Amendment No. 40 (to Amendment No. 31), to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies. (By 0 yeas to 88 nays, 1 voting present (Vote No. 33), Senate failed to table the amendment.)

Jeffords Amendment No. 55 (to Amendment No. 40), to require local educational agencies to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Kennedy/Daschle motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions with instructions to report back forthwith with the following amendment: Kennedy (for Murray/Kennedy) Amendment No. 56, to reduce class size.

Lott (for Jeffords) Amendment No. 58 (to the instructions of the motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Lott (for Jeffords) Amendment No. 59 (to Amendment No. 58), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote scheduled to occur at 4 p.m. today occur instead at 2:45 and that the time between now and 2:45 be equally divided between the chairman and the ranking member of the committee.

I further ask that immediately following the vote the Senate stand in adjournment until 12 noon on Wednesday, and that the routine requests through the morning hour be agreed to, the morning hour be deemed to have expired, and the Senate proceed for 1 hour of debate to be equally divided between the chairman and ranking minority member of the committee relative to the cloture votes.

I further ask unanimous consent that at 1 p.m. on Wednesday the Senate proceed to the cloture vote with respect to the Kennedy motion regarding class size, and the mandatory quorum under rule XXII be waived. I also ask that immediately following that vote, if not invoked, the Senate proceed to a cloture vote relative to the Lott amendment regarding IDEA and choice.

Finally, I remind all Senators that under the provisions of rule XXII, all second-degree amendments must be filed by 12 noon on Wednesday, March 10, in order to qualify postcloture.

Before the Chair rules, I just want to advise the Members that the purpose here is that staff and others be able to avoid what may be a very difficult afternoon rush hour with the snow coming down. And indications are it is probably going to increase even more. But we do want to have this cloture vote, so we will have 30 minutes equally divided for debate and then the vote, and then we will be back up with this very important bipartisan education flexibility bill on Wednesday.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I yield the floor, Mr. President.

Mr. KENNEDY. Mr. President, as I understand it, we are going to have 15 minutes a side. Am I correct?

The PRESIDING OFFICER. The Senator from Massachusetts is correct. There will be 30 minutes equally divided between now and 2:45.

Mr. KENNEDY. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, in just half an hour the Senate will vote on the second cloture motion to terminate debate on the Ed-Flex bill, and then tomorrow we will have two more cloture votes. It is our position that these cloture votes are completely unnecessary—what we would like to be doing here this afternoon and in the course of tomorrow is voting on education policy.

We were given assurances by the majority leader at the annual National Governors Association Conference that we would have the debate for 1 or 2 weeks. Now the minority leader has proposed limiting our side to just five different amendments, and we would be glad to have a number of amendments on the other side. We are glad to enter into time limits. There is no reason we cannot end the whole education debate tomorrow.

We have no assurance—none—from the majority leader, none from the chairman of the Health and Education Committee, that we will have another vehicle before the end of this year to debate education. This may very well be the only opportunity that we have. Why not have a reasonable time to debate and discuss the issues that are before the Senate in education, primarily the issue of class size reduction from grades K to 3, which is enormously important and very successful in terms of enhancing student performance. What about the afterschool programs? What about enhancing the effort to terminate school dropouts? The range of different, important policy issues—all we want to be able to do is debate them. We are being denied that by the majority.

That is part of our frustration. We believe the discussion on education is one of the most important debates that we will have. We are here, ready to debate. We were here last week on Friday and were closed out. We were here on Monday and are here Tuesday and continue to be closed out from being able to consider these amendments. That is the wrong policy.

Parents do not understand why we cannot debate it. Various organizations representing teachers, parents, school boards, and local communities are all pleading to the U.S. Senate to go ahead and have the debate on these issues.

There is widespread approval for continuing Federal support for reducing class size nationwide. This initiative is supported by the National Parent Teacher Association, the National School Boards Association, the National Association for the Advancement of Colored People, the Council of Chief State School Officers, the American Association of School Administrators, the Council of Great City Schools, the National Association of Elementary School Principals, the National Association of State Directors of Special Education, the National Education Association, the International Reading Association, the American Federation of Teachers, and the National Association of School Psychologists.

These groups are all saying please, go ahead with this debate. Go ahead and have the votes on these matters. We will abide by whatever the Senate does, but do not close us out.

Mr. President, that is what is happening here this afternoon. I hope we will not have the cloture vote to close it out. I am still hopeful somehow at this late hour we will be able to work out a process so we can consider the educational amendments which families all over this country want us to consider.

I yield 5 minutes to the Senator from North Dakota.

Mr. DORGAN. Mr. President, we are on the right subject. The question here is education. But in this great deliberative body, as it is called, we have some who do not want us to debate the principles of education and ideas that exist, here in the Chamber of the Senate.

Let me show a graph, if I might. It will be hard for people to see this, but it describes where we are. We have an education bill on the floor of the Senate. To that education bill is offered an amendment by Senator GRAMM, an amendment to the Gramm amendment by Senator Jeffords, then a Jeffords substitute, then a Bingaman amendment, and then the Lott substitute. Then we come in with the Kennedy motion to recommit in order to do the class size amendment. Then we have a Lott amendment to that, followed by a Lott amendment to the Lott amendment.

What does all that mean? It is a legislative way of plugging up this system so nothing can happen unless those who run the place want it to happen. It is a legislative mechanism to prevent debate and action on the ideas that we have about education.

What are those ideas? The bill on the floor is called Ed-Flex. That is an idea about flexibility. There are other ideas—one we debated last year, reducing class size K–3; 100,000 new teachers who reduce class size, because kids learn better when they are in classes of 15 than if they are in classes of 30 kids. That is common sense. That is an idea, the Kennedy-Murray amendment.

School construction—repairing and renovating and building schools where we have schools in disrepair. I have talked at length about schools that are in disrepair; classrooms with sewer gas coming up into the classrooms and kids have to be removed; classrooms that are unsafe. I have talked at length about those issues here on the floor of the Senate.

Afterschool programs is another idea. An idea I want to offer, an amendment I want to offer that I am prevented from offering by this plugging system here in the legislative assembly is a school report card. Every 6 or 9 weeks all across this country parents get report cards about how their kids are doing. How is the school performing, however? What about how is the school doing? What does it mean if your kid gets the best grades in the worst school? What does that mean? How does your school do compared to other schools? How does your State do compared to other States? What are you getting for hundreds of billions of dollars we are spending to educate our kids? How about grading our schools? I want to offer that amendment. I want that grading system to be a system that every parent in every corner of this country can understand and recognize and use.

Mr. President, I graduated in a high school class of nine. We didn't have particularly advanced mathematics courses, but I know enough about what is going on from that kind of education to understand what is going on here on the floor of the Senate. We have an education bill on the floor of the Senate. A number of us have amendments we want to offer to that bill, have a debate, and have votes on our amendments. Those who run this place say no, it is not how we are going to operate. It is our ideas or no ideas. It is our agenda or no agenda. It is a vote on our bill or on our amendments, or no votes.

That is not the way this place ought to operate. Education is a priority and should be a priority in the legislative agenda of this Senate. But it ought not be a narrow agenda that says we will only consider a piece of legislation called Ed-Flex and then prevent everyone else from offering their amendments.

I heard a speaker yesterday say about this class size amendment, that is the Senate wanting to run the local school districts. Nonsense. Let me read a comment from a Republican last year when we passed a piece of legislation that called for some additional teachers. Congressman GOODLING, a Republican, said, ''This is a real victory for the Republican Congress, but more importantly, it is a huge win for local

educators and parents who are fed up with Washington mandates.''

So I hear somebody stand up over there yesterday and say what we are trying to do somehow is to run the local school systems—absolute nonsense. It is nonsense, as indicated by Mr. GOODLING, a Republican, who last year said this is good public policy; this is policy everybody ought to support.

In fact, this is Republican policy, he said. Now it appears we cannot even get a vote on it. So I urge the majority leader and others to bring a piece of legislation to the floor, open it up, let's have a debate, let's offer amendments—let's get the best of what everyone has to offer here on the floor of the Senate.

I yield the floor and reserve the remainder of the time.

Mr. BYRD. Mr. President, as we approach the vote to invoke cloture on S. 280, the Education Flexibility Partnership Act of 1998, I wish to express my dismay with the procedural battle evoked by this legislation. We have now spent close to three full days on this bill, but the Senate has expended most of its time and energy on procedural tactics intended to preclude one party or the other from debating those topics of utmost importance to them. I find this greatly disturbing. Education is a serious topic which deserves the substantive attention of this body. It merits an in-depth examination from a multitude of levels and angles so that our nation's children can someday reap the full benefit of a well-rounded learning experience. With so many priority items to discuss and debate in this Congress, there is, of course, great difficulty with accommodating and balancing the wishes of 100 Senators, but I hope that we could come to an understanding by which Republicans and Democrats alike could use this opportunity to further discuss and debate education policy. People all across the United States from California to Maine tell us that education is their top priority. Obviously there are concerns. Can we not set aside our differences and use this opportunity to help address the many problems facing our nation's education system?

As part of this debate on the Education Flexibility Partnership Act of 1998, I would like to take some time to discuss the issue of education accountability, a topic which has received much attention from my colleagues during these past few days. I am pleased to note that greater accountability has been built into this legislation to ensure that states granted this so-called Ed-Flex status are held to higher standards of accountability in exchange for increased flexibility at the state level. I am, however, reluctant to support the notion of expanding this Ed-Flex designation nationwide, given the limited performance results from the twelve demonstration states and the lack of accountability data on which a state or school currently reports. Perhaps, before embarking on this mission of handing over greater authority to states to waive federal education requirements, we should consider the somewhat startling fact that more than sixty percent of parents have never seen an individual report card on the performance of their area school.

I find it ironic that, in an age where a wealth of information abounds about any imaginable field, precious little information exists about the performance of our nation's schools. Mr. President, I bring to the attention of the Senate a recent publication by Education Week and A-Plus Communications, entitled ''Reporting Results,'' that discusses this new buzzword of 1999. While I find encouraging the fact, as reported in Education Week, that thirty-six states are expected to issue school accountability data or ''report cards'' this year, that practice, it seems to me, should be undertaken by all fifty states.

Furthermore, of the thirty-six states that will have report cards in 1999, only thirteen states ensure that the report cards actually get sent home to parents and few include all the information that parents report that they actually want to see most. Moreover, the information on these report cards rarely finds its way to the community at large, which has an interest in the education of its young people. I am baffled by this phenomenon! Why go through the process of creating such a document for it to end up as yet another soiled piece of paper in the garbage can? And without this kind of documentation from schools, should we really be proceeding with the expansion of Ed-Flex authority to waive certain federal education requirements without significant knowledge of how our nation's schools are performing in the first place?

Of all the decisions in life that a parent has to make, the decision about where to send a child to school is one of the most difficult and important. I find it unbelievable to think that parents often, for the lack of better information, rely upon word-of-mouth to make such important decisions. Where are the numbers on student achievement, test scores, teacher certification, and graduation rates? Parents need to have this information before them as a key resource for making an informed decision.

I feel for parents who, despite their best efforts to learn about the quality of their local schools, cross their fingers as they send their children off each day in the hope that their children will be spending those hours in an enriching and safe environment. I find it terribly disconcerting that the quality of our schools in different corners of the same community can differ so dramatically as to force families to move from neighborhood to neighborhood on the trail of the best schools. I find it sad that so many families have felt compelled to give up on public schools in favor of private schools or home schooling.

Mr. President, I believe that greater education accountability is the key to unlocking this trend burdening so many families today. With more information, and I am talking about the real stuff—test scores, teacher qualifications, graduation rates, tracking of students from grade school into college and after—parents will have substantive data at their fingertips to truly determine what is in the best interest of their child and their family as a whole. Perhaps, at the same time, this could provide a better framework for gauging how Ed-Flex is impacting student achievement levels and enhancing teacher preparation.

Competition is at the heart of creating better schools for the nation. During this debate, my colleagues will raise the important issues of school construction, class-size reduction, and others of great concern to the American people, but I believe that fostering a competitive environment among schools is perhaps one of the more simple and effective ways of improving our nation's schools for the 21st century.

By forcing schools to annually report on performance data, such as test scores and other quantitative measures, teacher qualifications, and safety indicators, parents will have a framework for weighing one school against another, and communities will have data they need to force improvements in their school systems. As Education Week pointed out in its report, so many of the report cards that actually make their way into a parents' hands are difficult to read, with extraneous information of little benefit to educators and parents. Mr. President, there needs to be uniformity in gathering key data that parents are seeking and a model that all parents can follow. Holding schools accountable for the students they are producing and the teachers they have chosen, while making this information readily available to parents, will turn up the heat on schools, and apply much long-needed pressure to those at the helm to up the ante on teacher qualifications and curriculum requirements.

But test scores and other achievement data will mean little to parents if we continue upon this so-called trend of ''teaching to the test.'' What good will come of teaching students skills simply to ace a standardized test? Mr. President, if we hope to produce well-rounded students prepared for the challenges ahead in today's workforce, a standardized test should not drive the curriculum. Life is not multiple choice. Life is an essay, to be written well or poorly by educated students.

Education accountability is a serious issue which has been left behind for many years at the expense of our nation's parents and educators. It is time to examine the necessity for reporting data both as part of this Ed-Flex legislation and at the local level in the form of school report cards. I look forward to working with the Health, Education,

Labor, and Pensions Committee in ensuring that our nation begins to navigate this challenging territory.

Mr. President, I yield the floor.

Mr. REID. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 5½ minutes remaining.

Mr. REID. I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I join my colleagues in expressing my concern about the gridlock we find ourselves in here on this bill. Let me, first of all, commend the majority leader and majority for bringing up an education bill. I think most Americans feel that this is one of the most important issues for us to be addressing. So I want to begin these brief remarks by commending the majority for bringing up an education bill.

The regrettable part is that having now brought up this matter of the so-called Ed-Flex bill, we are now being deprived of the opportunity to discuss a number of critical issues which affect the quality of education in the country. We are not suggesting here that this be an unlimited debate with countless amendments. There are just several very key and important issues the American public would like to have us help address.

One is class size. Most Americans know if a teacher has too many students, not only can the teacher not teach, the students do not learn. This is not any great leap of logic to understand this. Too many of our classes are too big. We know that. One of the proposals we would like to raise in the context of this education bill is that amendment. You could vote it down, if you would like. But I do not think this institution, or the American public, ought to be deprived of having the Senate of the United States debate an amendment that would assist reducing the size of classes in America. That ought not be denied the American people. Yet under this present sort of Rubik's Cube we have created here legislatively, we cannot even get to that amendment.

Americans would like to see us address the issue of afterschool programs. It is a major problem. Parents worry about where their children are between the hours of 3 and 6 o'clock. It is a major problem. We may disagree over how best to achieve the results of having a good afterschool program. But here we are unable to debate it, befuddling the American public. For the life of me, it is hard to explain why when we have an education bill before the U.S. Senate, we cannot even bring up an amendment and discuss and debate and vote on an amendment. An amendment that would simply offer an idea and a plan on how we might alleviate this growing concern among Americans about what happens to their children after school hours when they are not at home, when parents cannot provide for their needs and are concerned about the trouble they can get into, the difficulties they can encounter. That ought not be a great leap of logic to expect us to be able to discuss in this context of an education bill that the majority has brought up.

Americans would like to see us address the issue of the condition of our classrooms, our school buildings. This morning, I met with some of our mayors down from the State of Connecticut. One of the issues raised by one of those mayors is that the school buildings in his town are more than 40 or 50 years old. They need new buildings. Now, they are willing to participate in the cost of that. But they would like to see some of the dollars they send to Washington come back to help improve the quality of these classrooms and these buildings. I do not think that ought to be too difficult. If the majority doesn't agree with that, doesn't think that is a priority, vote against the amendment, but do not deprive us of raising it, debating it and voting on it. That is not too much to ask.

Again, I commend the majority. They have said this is an important issue; education is critical. We are bringing up the education bill. How ironic that having brought up this bill, they now deprive us from raising three or four amendments that we think would contribute to the well-being of the educational system of this country. We cannot even discuss, debate, and vote on them.

I had hoped that we could do better on one of the first actions of this Congress, having gone through the difficulty of this impeachment proceeding, and get back to the issues that affect the American public. We took an awful lot of time on the issue of impeachment. Now, the public, our constituents, would like to see us spend some time on their issues, the things they worry about every day. When you bring up an education bill and then deprive us of the right to debate, discuss, and vote on critical issues that they think are important, they wonder what we are doing, what our agenda is—a Rubik's Cube of parliamentary maneuvering or actually addressing these underlying and critical questions that the American people care about.

Mr. President, I yield the floor.

Mr. REID. Mr. President, I yield whatever time is remaining——

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. REID. Mr. President, I ask unanimous consent, until someone shows up on the other side, that Senator BINGAMAN be allowed to speak.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from New Mexico.

Mr. BINGAMAN. Thank you very much. I thank my friend and colleague from Nevada for yielding me some time.

Mr. President, I agree with the sentiments that were just expressed by the Senator from Connecticut about his frustration about not being able to vote on some of the crucial issues that relate to education in this country.

I wanted to particularly draw attention to this issue of the Dropout Prevention Act that I offered last week, along with my colleague from Nevada, Senator REID. This is legislation which is not new to the U.S. Senate. It is legislation that passed in the last year. There were 74 votes in favor of this Dropout Prevention Act. What we are trying to do now is get this same legislation, identical legislation considered as part of this Ed-Flex package of legislation. We think that will be good for the American people. We think it would advance the handling of this very important issue. Otherwise, we will be put off for perhaps a year, perhaps 18 months into the new year. I believe very strongly that we ought to go ahead and deal with this.

In my State, when I go around my State and say what is the No. 1 concern that people have about education——

The PRESIDING OFFICER. The Senator from New Mexico will suspend his remarks. The time has expired on the minority side. By unanimous consent, it was extended until someone came to the majority side. The Chair recognizes the Senator from Vermont.

Mr. JEFFORDS. Mr. President, I am sorry to interrupt, but it is our time.

Today marks the fifth day of discussion by the Senate on the Education Flexibility Partnership Act of 1999. We have spent time discussing several education issues that are important to debate, but do not necessarily pertain to the underlying bill.

The Education Flexibility Partnership Act, which has overwhelming support on both sides of the aisle—all the Governors in the Nation; the President supports it; everybody supports it—what is it? The Secretary of Education gives a State some authority to determine whether some schools may be granted waivers pertaining to certain requirements for the purpose of enhancing services to students through flexibility and real accountability.

It is important to note that States cannot waive any requirements pertaining to health and safety, civil rights, maintenance of effort, comparability of service, equitable participation of students and professional staff in private schools, parental participation and involvement, and the distribution of funds to State or local agencies.

Currently, 12 States have ed flexibility authority. Through Ed-Flex, these 12 States have been better able to coordinate programs which create a seamless education delivery system that benefits both teachers and students.

During the first day of debate, I offered a managers' package which contained various accountability provisions which we worked out through a bipartisan agreement. Those provisions and additional accountability provisions which were added last Thursday

will improve school and student performance, which should be the mission of every education initiative. I will remind my colleagues that the Elementary and Secondary Education Act is up for review this year. The Elementary and Secondary Education Act is the foundation for most of the Federal programs that assist students and teachers in our elementary and secondary schools, and it accounts for $15 billion in Federal spending, excluding IDEA—that is, special ed money and vocational education.

We are currently engaged in the hearing process. One of the first hearings we held regarding this legislation looked at various education proposals offered by Members of this body. I look forward to working with all of my colleagues as we draft the first Elementary and Secondary Education Act of the 21st century. We only do that once every 5 years. The Elementary and Secondary Education Act is the most important education legislation we will consider this year. There are a number of good ideas being discussed which deserve a thorough review. That is what these amendments are about. They deserve a thorough review before we leap off prematurely, ahead of the committee process, to put the President's programs, which have not been reviewed, in place without thorough hearing and understanding.

It is for this reason that we should not be debating many of the amendments that have arisen in the Ed-Flex debate. We should be debating these proposals in conjunction with the Elementary and Secondary Education Act. Last year, as I pointed out earlier, we passed 10 education bills, all out of the committee, by either unanimous or close to unanimous votes, because we worked in committee to work the matters out, like we should, and not to do it on the floor before any hearing.

I urge my colleagues not to short circuit the process of offering major elementary and secondary education initiatives on Ed-Flex. The Education Flexibility Partnership Act is not designed to be the sole response by the Federal Government to improving school and student performance. However, Ed-Flex does give States the ability to augment education services for students and teachers.

I also point out that the amendment that I have is perfectly consistent with this policy. What it says is, okay, we appropriated last year $1.2 billion for a program—and this was decided in the back halls of the Capitol somewhere; I was not present—that we should take the President's 100,000 teachers, put the first year in effect. We are saying, wait a minute, we haven't had any review of that, but we will do this. We will let the local governments for this year decide whether they would prefer to have it, not knowing what is going to happen in the future, until we work it out in the Elementary and Secondary Education Act.

We would like to give them the flexibility at the local level to determine as to whether or not they would prefer this year to use that money to augment their special education funds or whether they want to start off on a course, which may not be followed, to start hiring new teachers. I point out, there are a lot of questions about a bill which gets you on the route to new teachers. If you have 100,000 new teachers, you need 100,000 new rooms. If you have 100,000 new teachers and you do not know where the funds are going to come from in the future, how are you going to pay for it? These are all important questions to be answered when that bill gets into final shape, if it does get into final shape.

Mr. President, I hope that we can make progress. I urge my friends on the other side of the aisle, we are at a point where we can either vote this out and get on with other business or we can just spend the rest of the year in this kind of a debate and inability to act together.

I am proud of our committee. We have worked so many things out in a bipartisan manner. And to think that we could get stalled and find ourselves without the ability to pass a simple bill which merely gives flexibility to the States—I do not understand how we could go forward with that kind of process. We have important bills coming up. We have health care bills, we have all sorts of bills out of my committee, extremely important bills, and we are getting off to a rough start here by the inflexibility of the minority.

Mr. DORGAN. I wonder if the Senator would yield for a brief question.

Mr. FRIST. Mr. President, I would like to also have the Senator yield to me for a minute.

The PRESIDING OFFICER. Does the Senator yield to the Senator from North Dakota?

Mr. JEFFORDS. Just briefly I will yield.

Mr. DORGAN. I appreciate the courtesy.

One of the difficulties we have is being able to offer amendments. And the Senator seemed to suggest at some other point education issues will be brought to the floor with an open opportunity for people to offer a series of ideas and amendments. Is the Senator speaking for the majority leader on that? Because we have had great difficulty in obtaining that status on the floor.

Mr. JEFFORDS. So far I have had no problem with the majority leader, and I do not expect we will. This committee had worked together very well last year, and I expect we will this year.

I yield to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I will be very brief.

The underlying bill is the Ed-Flex bill, which is a bill that I and Senator WYDEN introduced in a bipartisan way, supported by all 50 Governors, a straightforward bill which strips away Washington redtape, which empowers our teachers to teach instead of filling out paperwork. Seven percent of the Federal money is coming down with over 50 percent of the Government regulations there. Strip it away so that they can really teach, accomplish the objectives we set out for them, meet the standards of accountability, and we will be able to innovate, offer some creativity.

This bill all of a sudden has taken off, and we are having innumerable amendments placed on it, and most of them are huge new programs, new spending, all of which has an appropriate forum to be addressed. I just hope, for the American people, that we are not in a gridlock here. The fact that we are going to be voting on cloture in about 2 or 3 minutes demonstrates there is gridlock here. Let's help our American children, let's help the American people, by passing this bill, voting on it, Ed-Flex, not all these new spending programs.

Thank you, Mr. Chairman.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. How much time is remaining?

The PRESIDING OFFICER. Three and a half minutes are remaining.

Mr. GREGG. Mr. President, I join my colleagues, the chairman of the committee and Senator FRIST, who is the author of this bill, in stating that I find it really disheartening that the Members on the other side have decided to use this bill, which was bipartisanly supported, was supported by the President, in order to make political points, not substantive points.

The amendments which the other side is offering on this bill are not appropriate to this bill. They basically represent amendments which accomplish obfuscation and delay of what is a very good bill. The underlying bill will give local communities flexibility in how they deal with Federal regulations.

I understand that that is anathema to some people on the other side of the aisle. I understand that some people on the other side of the aisle would like to have the ability to regulate and control and direct and have the input into how the day-to-day education should occur in our school systems. That happens to be their philosophy. They want to centralize decisions here in Washington. We want to take decisions and give them back to communities.

Their reason for opposing this bill, by throwing out all these amendments, isn't that they actually think these amendments are substantively going to go anywhere. It is because they want to make a political statement, and because they want to slow down a bill which is a good idea and which releases the local school districts from the huge weight of Federal regulation. It really is unjustified. It contradicts the purposes which the President has already subscribed to in saying that he supported this bill.

So when the American public asks the questions, ''Why don't we have more flexibility at the local level? Why do we get stuck with all these Federal regulations?'' the answer is very simple. Look to the Democratic membership of this Congress. They are the ones who are slowing up a bill which would give the communities flexibility.

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, would the chairman of the committee, the manager of the bill, yield for a question?

Mr. JEFFORDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. 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. LOTT. Before the Senate conducts the cloture vote and then adjourns for the day, it is my intention to file another cloture motion with respect to amendment No. 37, as modified, the Lott IDEA, special education/choice amendment.

I still hold out hope that during the session tomorrow Senators will be able to agree to a small, limited number of amendments remaining to the pending education flexibility bill and that our Democratic colleagues will then allow the Senate to conduct a passage vote on this very important bill, which has broad support, which would give the rest of the country, along with 12 other States, this flexibility to allow the paperwork, bureaucracy, to be waived so we could get the education money to the schools, to the children, where it really belongs. I hate to see this delay taking place on this broad bipartisan bill. In the event that such an agreement cannot be reached, I feel the need to file another cloture motion.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 37 to Calendar No. 12, S. 280, the Education Flexibility Partnership Bill:

Trent Lott, Judd Gregg, Sam Brownback, Jeff Sessions, Paul Coverdell, Bill Frist, Kay Bailey Hutchison, Chuck Hagel, James M. Jeffords, Michael B. Enzi, Mike DeWine, Tim Hutchinson, John H. Chafee, James M. Inhofe, Larry E. Craig, and Don Nickles.

Mr. LOTT. Mr. President, for the information of all Senators, this cloture vote, if necessary, will occur on Thursday of this week.

CALL OF THE ROLL

Mr. LOTT. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I belief, Mr. President, we are ready for the vote.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 31 to Calendar No. 12, S. 280, the education flexibility partnership bill:

Trent Lott, Jim Jeffords, John H. Chafee, Bob Smith, Thad Cochran, Arlen Specter, Slade Gorton, Mitch McConnell, Richard Shelby, Bill Frist, Larry E. Craig, Jon Kyl, Paul Coverdell, Gordon Smith, Peter G. Fitzgeraid, Judd Gregg

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the substitute amendment No. 31 to S. 280, a bill to provide for education flexibility partnerships, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Florida (Mr. GRAHAM), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that the Senator from Washington (Mrs. MURRAY) is absent due to a death in the family.

I also announce that the Senator from Minnesota (Mr. WELLSTONE) is absent attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yes 55, nays 39, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—55

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

NAYS—39

Akaka	Durbin	Lautenberg
Baucus	Edwards	Leahy
Bayh	Feingold	Levin
Bingaman	Feinstein	Lieberman
Boxer	Harkin	Lincoln
Breaux	Hollings	Mikulski
Bryan	Inouye	Moynihan
Byrd	Johnson	Reed
Cleland	Kennedy	Reid
Conrad	Kerrey	Robb
Daschle	Kerry	Sarbanes
Dodd	Kohl	Schumer
Dorgan	Landrieu	Wyden

NOT VOTING—6

Biden	Murray	Torricelli
Graham	Rockefeller	Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 39. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

ADJOURNMENT

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until noon on Wednesday.

Thereupon, the Senate, at 3:14 p.m., adjourned until Wednesday, March 10, 1999, at 12 noon.

EXTENSIONS OF REMARKS

THE SATELLITE HOME VIEWERS ACT

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. HILL of Montana. Mr. Speaker, I wanted to thank you for allowing me to take a moment to discuss an issue that is very near and dear to many Montanans hearts—their satellite service. Many Montanans and others in rural America have been contacting us regarding the dispute over distant network satellite service between local broadcasters and satellite providers. I share the concerns that many Montanans may be left without network signals if we do not take appropriate action.

In a state as large as Montana, there are many areas that cannot receive a decent broadcast signal of local television stations. For many, the only recourse is to invest in satellite equipment and programing packages in order to receive television programing. Recently, the United States District Court for the Southern District of Florida (Case No. 96–3650–CIV–NESBITT) issued a preliminary injunction that requires the termination of network satellite service to over one million subscribers across the United States that fall within the ''Grade B'' contour.

The Satellite Broadcasting and Communications Association stated that the Satellite Home Viewer Act (SHVA) provides that Americans who cannot receive an acceptable signal over-the-air from their local network affiliate are classified as ''unserved household'' and are therefore, eligible to receive network service via satellite. An ''unserved household'' is one that cannot receive a television signal of ''Grade B'' intensity (as defined by the FCC). Grade B is a technical measurement used by the FCC to determine predictive signal distribution for tower placement for the broadcasters.

Because the SHVA does not provide clear guidance on which households may lawfully receive network signals by satellite, and no straightforward testing mechanism exists to ascertain which households are ''served,'' there is confusion in the marketplace. Unfortunately, this leaves millions of consumers caught in the middle. Local broadcasters in Montana have assured me of their willingness to work with Montanans who are determined to be ''served households'' by the FCC, but do not actually receive a quality broadcast signal by individually testing service and issuing waivers to allow them to continue receiving network signals via satellite. And they will be trying to get a waiver to seek a waiver from his or her local television broadcaster, and provided certain criteria are met, may ensure the continued delivery of network programming service via satellite. I have urged many Montanans who do not receive a signal to contact their individual broadcast stations for a waiver. I have heard from many Montanans that some local broadcasters have been willing to work with them, and unfortunately some haven't.

However, there are some cases that there is a unfair burden on the local broadcasters for them to go to every household to prove if they receive a signal. But we must take action to correct this very concerning problem.

I appreciate that the Subcommittee Chairman, Mr. BILLY TAUZIN, has focused his efforts to come up with a legislative fix to address this matter. On February 25th, Representative TAUZIN introduced the Save our Satellites Act (H.R. 851) that seeks to save network television signals for consumers who will unfairly lose access to satellite-delivered network programming. I am an original cosponsor if this legislation and fully support its passage.

The Save our Satellites Act preserves the status quo for 90 days so that a more reliable method of determining who is eligible to receive network programming can be implemented. This is a good first step toward defusing this emergency situation for rural satellite consumers. I look forward to working with Mr. TAUZIN and other Members of Congress to find common sense solutions to this very important issue.

H.R. 474—FEDERAL CONSTRUCTION CONTRACTING

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, recently, I introduced legislation, H.R. 474, to help local contractors compete for military construction projects. The purpose of H.R. 474 is to address concerns raised by various unions, contractors, and the State of Hawaii, that local companies are not getting a fair shot at competing for military construction contracts. The ability of out-of-state contractors to ignore state tax and employment laws have allowed them to avoid costs that local companies have to meet and thereby outbid our local companies.

The problem of out of state contractors dodging state tax and employment laws was documented at the Congressional hearing I held on August 5, 1995, in Hawaii. H.R. 474 incorporates many of the suggestions and proposals made at this hearing on ways to make the bidding process more equitable for local companies.

H.R. 474 requires contractors to obtain a state tax clearance in order to be an eligible bidder on military construction projects; it requires them to obtain a state tax clearance and certify compliance with state employment laws in order to receive the final project payment; allows a military agency to withhold payment in order to meet state tax obligations; and it requires a contractor that has won a bid to obtain a state license in the state in which the work is to be performed, if that state requires such a license.

Military construction work is an important part of Hawaii's economy. Not only will Hawaii's local companies benefit from this legislation, but all local companies across the nation will have a fair chance to compete for these projects that are worth millions of dollars.

By joining me in supporting H.R. 474 we can provide the enforcement needed to make sure all bidders play by the same rules. I urge my colleagues to support this legislation.

CONGRATULATING COMMON THREADS AWARD WINNERS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today in congratulate Muriel Smittcamp, Violet Jensen, Geneva Shannon, Jane Logoluso, and Mildred ''Micki'' Parker, the recipients of the Common Threads Award. This award is presented to women in agriculture who have made a remarkable contribution to their community through volunteer work and philanthropy.

Muriel Smittcamp, of Clovis, CA, began her career in agriculture, together with her husband Earl, in 1945, with the purchase of 200 acres. She has volunteered her time with many organizations including the Ranchero Guild of Valley Children's Hospital (V.C.H.), the Holiday Guild, and the Fresno State Bulldog Foundation, Muriel is also a California State University, Fresno Alumni member, contributor and worker, and donates her services to the Clovis Library, the American Cancer Society and 4–H.

Violet Jensen, of Fresno, CA, became a farmer's wife when she married Oliver Jensen in 1948. She has actively particpated in all phases of farm management including tractor driving, tying vines and harvesting crops. She has been a member of the Farm Bureau for 50 years during which she has held several committee chairs. Violet has been active in Raisin Wives, La Tienda Guild for V.C.H. and Twilight Haven. She was very active with the Raisin Queen Pageant and the Farm Bureau Princess Pageant.

Jane Logoluso Bautista, of Madera, CA, joined her father's farming operation in 1992. Prior to that she had a 20 year career in the health care industry. She is currently responsible for government relations, personnel, labor relations and special projects. Jane is vice-chair of the California Apple Commission, trustee for U.S. Apple Association and is secretary of the Nisei Farmers' League. She volunteers for the American Cancer Society and has served on the Kingsview Mental Health Corp.

Geneva Shannon, of Visalia, CA, grew up on a farm in Waukena, Ca. She married Eric Shannon in 1980, and together they continued their farming interests. She was involved in 4–

H and Future Farmers of America in school, and continues to support these organizations. Geneva served as president of the Tulare Kings Chapter of California Women for Agriculture, and also on the State Board. She is active in the Farm Bureau, and represents agriculture in the classroom.

Mildred ''Micki'' Parker, of LeGrand, CA, taught at both Chowchilla and Merced High Schools. She was a sponsor of the American Field Service and advisor to Future Business Leaders of America. She and her husband Richard farmed almonds for many years. After her retirement from teaching, she actively participated in day-to-day farm operations. Micki has been active in the Merced area with the County Area Agency of Aging, Community Action Board, Women's Club and Farm Bureau. She is also a member of the Merced Chapter of California Women for Agriculture.

Mr. Speaker, I rise today to congratulate the Common Threads Award winners. These women have shown outstanding involvement, not only in agriculture, but in strengthening their respective communities. I urge my colleagues to join me in wishing these honorees a bright future and continued success.

CELEBRATING OUR AMERICAN HEROES

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. KUYKENDALL. Mr. Speaker, like many of my colleagues, I spent the recent district work period participating in celebratory events for African American History Month. I saluted the heroism of Eric Davis on the baseball diamond and in his fight against colon cancer, John Bryant of Operation Hope—our first nonprofit investment banking organization, and Vernon J. Baker, a Purple Heart, Medal of Honor, and Bronze Star recipient for acts of valor in World War II.

Let me tell you a little about Vernon. Second Lieutenant Baker served in the Army and fought in World War II. On April 5–6, 1945, Second Lieutenant Baker destroyed enemy installations, personnel and equipment during his company's attack against a strongly entrenched enemy in mountainous terrain. When his company was stopped by the concentrated fire from several machine-gun emplacements, he crawled to one position and destroyed it, killing three German soldiers. Continuing forward, he attacked an enemy observation post and killed its two occupants. With the aid of one of his men, Second Lieutenant Baker attacked two more machine-gun nests, killing or wounding the four enemy soldiers occupying these positions. He then covered the evacuation of the wounded personnel of his company by occupying an exposed position and drawing enemy fire. On the following night, Second Lieutenant Baker voluntarily led a battalion advance through enemy mine fields and heavy fire toward the division objective.

Like Vernon, African Americans have played an integral role in defending American ideals since this country's origin. Their willingness to serve this country dates back to the Revolutionary War and their service as ''privateers'' in America's first merchant marine. They fought in the Battle of Concord, crossed the Delaware River, and served in the Continental Army. Thousands served in the War of 1812, protected New Orleans when threatened in 1815, and fought with the Party of Lincoln to achieve emancipation. Almost 400,000 African Americans fought alongside white infantrymen in World War I, though they had to do so in segregated units and in the face of widespread misinformation that African Americans lacked the intellectual ability to serve their country. Today, almost 25% of our armed forces are African American.

We seldom hear of the acts of individual courage displayed by our African American vets. Yet, the simple act of signing up to serve—and facing bigotry, discrimination, and segregation head on—is at least as heroic as the act of serving this country. Even today, though, our history books lack real substance about the full contributions of soldiers like Vernon Baker to our military legacy. Recognizing their contribution, even if it takes African American History Month to prompt us, is the first step we must take.

Ultimately, the contribution of men like Vernon Baker should be remembered not as the contribution of an African American, but as the contribution of an American soldier. To quote Interior Secretary Harold Ickes, ''Not color, not race, not religion, not pedigree of family, nor place of birth, not social standing, not size of his bank account, not his trade, nor her profession'' makes one an American. ''An American is one who loves justice and has a deep and abiding respect for the dignity of men and women. An American will fight for his freedom and that of his neighbor. An American will forgo ease and property and security in order to preserve for himself and for his children the rights of free men and women.''

I proudly salute Vernon Baker, as well as Eric Davis and John Bryant, for their fight to preserve for all the rights of free men and women. I salute each, not because he or she is an African American, but because they are Americans, fighting for collective ideals and to make the world safe for all of us.

PERSONAL EXPLANATION

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. TERRY. Mr. Speaker, I was unavoidably detained during rollcall vote 31. Had I been present, I would have voted ''nay.''

THE INTRODUCTION OF THE NADLER SOCIAL SECURITY BILL

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. NADLER. Mr. Speaker, I am here today because, as the ongoing national dialogue attests, the Social Security system is at a crossroads. The decisions we make this Congress will have aftershocks that will be felt well into the second half of the 21st century. Concern for our children and our children's children demand that those decisions be made carefully, seriously, and compassionately—keeping in mind Social Security's historic commitments.

Today, I am announcing the introduction of a comprehensive Social Security plan that will preserve the system while staying consistent with certain key values that have always provided the heart and soul of the nation's most popular social program: this plan does not raise the retirement age, it does not cut benefits, it does not raise tax rates, and it does not shift the risk onto individuals through individual private accounts funded by FICA taxes.

These are not academic considerations. They are the guiding principles of a program that has risen literally millions of human beings out of the wrenching grip of poverty—poverty that for so long was too often synonymous with old age or disability. For over half a century, they have been part of what defines Americans as a people.

President Clinton has already put forth an excellent framework to strengthen Social Security and Medicare and increase private savings, which keeps the system solvent until 2055. My plan builds on this firm foundation, but takes an extra step to completely eliminate the projected 2.19% actuarial deficit. According to the Social Security Actuaries, my plan brings the Social Security System into long-term actuarial balance for the foreseeable future—at least 75 years.

Briefly, here's how we do it. My plan implements the President's proposal to authorize the transfer of 62% of the projected budget surplus to the Social Security Trust Fund for a period of 15 years. It creates an Independent Social Security Investment Oversight Board that is authorized to hire private managers to invest a higher, though still prudent, portion of the Social Security surplus into index funds. And it increases—and then indexes—the cap on taxable wages, without removing the cap altogether. Currently, 93% of wage earners earn less than the cap, and will be totally unaffected. Under current law, less than 85% of all wages is subject to FICA contributions; this has slipped in recent years from the historic 90% due to the dramatic rise in disparity of wages. Raising the cap will restore the historic level, while affecting only the richest 7% of the population.

These steps will ensure the solvency of Social Security for at least 75 years, while ensuring the guaranteed benefits Social Security provides to seniors, individuals with disabilities, widows, widowers, and children. And—I can not say this often enough—it does so without raising the retirement age, without cutting benefits, without raising tax rates, and without shifting the risk onto the backs of individuals. This is meaningful, responsible legislation, and I intend to do my best to make sure my colleagues give it the hearing it deserves.

H.R. 475, MILITARY SPOUSES

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, recently I introduced H.R. 475, extending eligibility to use the military health care system and commissary stores to un-remarried former spouses of a member of the uniformed services in certain circumstances.

Current law provides health and commissary benefits to un-remarried former spouses who

meet the 20/20/20 rule—those who were married to military personnel for at least 20 years, whose spouse served in the military for at least 20 years, and whose marriage and spouse's military service overlapped for 20 years.

A problem that frequently arises is that many members who retire upon attaining 20 years of service were married a year or two after entering active duty. The overlap of their service and marriage is just short of 20 years. Thus regardless of the subsequent length of marriage the spouse can never meet the criteria requiring the 20 year overlap.

H.R. 475 would eliminate this current inequity by extending to un-remarried former spouse's medical care and commissary benefits if the member performed at least 20 years of service which is creditable in determining the member's eligibility for retired pay and the former spouse was married to the member for a period of at least 17 years during those years of service.

This inequity affects not only individuals in my district, but spouses in every district across the Nation. Since the original introduction of this legislation, I have received letters and phone calls from Massachusetts, Idaho, California, Ohio, Arizona, Florida, Washington, Maryland, Kansas, and Utah.

The Department of Defense has stated that by providing a more liberal entitlement to these individuals, we would ''tax'' the Department's resources thus increasing the budgetary requirements. Well, I say it is worth it when I read about a woman from Arizona who was married to her husband for 36 years, but because she married him 1 year after his initial enlistment, she missed the 20–20–20 rule by 11 months. These stories are tragic, and we can do something to remedy this unfairness.

I urge my colleagues to support H.R. 475.

TRIBUTE TO BEVERLY PANKRAT OF GIRL SCOUT TROOP 563

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. BACHUS. Mr. Speaker, today I would like to salute an outstanding young woman who has been honored with the Girl Scout Gold Award by the Cahaba Girl Scout Council in Birmingham, Alabama. She is Beverly Pankrat of Girl Scout Troop 563. She has been honored for earning the highest achievement award in U.S. Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning and personal development. The award can be earned by a girl aged fourteen through seventeen, or in grades ninth through twelfth.

Girl Scouts of the U.S.A., an organization serving over 2.5 million girls, has awarded more than twenty thousand Girl Scout Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn four interest project patches, the Career Exploration Pin, the Senior Girl Scout Challenge, as well as design and implement a Girl Scout Gold Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and carried out through close cooperation between the girl and an adult Girl Scout Volunteer.

As a member of the Cahaba girl Scout Council, Beverly Pankrat began working toward the Girl Scout Gold Award on November 9, 1997. She completed her project, Introduction to the Internet and Web Page Design, and I believe she should receive the public recognition due her for this significant service to her community and her country.

TRIBUTE TO HERNANDO PINZON—RETIRING AFTER 15 YEARS OF CONGRESSIONAL SERVICE

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. KLECZKA. Mr. Speaker, Today I rise to pay tribute to Hernando Pinzon, of Milwaukee, who will retire March 31, 1999, after 15 years of dedicated service on my District Office Staff.

Hernando was one of my very first hires when I was elected to Congress in a special election in the spring 1984. He has tirelessly served the residents of Wisconsin's 4th Congressional District ever since.

Hernando has a sign on his Milwaukee office door which reads ''I put veterans first. May I help you?'' That statement sums up Hernando's dedication to the men and women who have served, or who are currently serving, in our nation's armed forces. As my constituent liaison for veterans and military issues, Hernando works daily to ensure that these individuals receive the benefits and honors they deserve. From handling insurance and retirement matters for military families, to obtaining well-deserved military medals for service men and women that were overdue many years ago, Hernando certainly puts veterans first.

As my District Office liaison for Hispanic issues, Hernando has attended countless Hispanic Chamber of Commerce meetings and events on Milwaukee's south side. He has truly been my ''eyes and ears'' at Hispanic events, bringing numerous issues to my attention and making it known to the community that I am ready and willing to help.

But Hernando's first priority is of course his family. His wife Maria and his two children Carla and Hernando are the real joys of his life. I know that he is looking forward to spending more time at home. In fact I understand that Maria has enough remodeling projects lined up to keep him busy around the house for quite some time!

Best wishes, Hernando, on your well-deserved retirement. We will miss your dedication, your patience, and your quiet humor. May you and your children enjoy the years to come by bicycling, hiking and fishing as you have enjoyed many Milwaukee summertimes in the past. God Bless.

SOCIAL SECURITY EARNINGS LIMIT CLARIFICATION

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to clarify some comments I made on this floor last Thursday. Specifically, I spoke about the earnings limits now imposed by the Social Security laws. To clarify, there are two separate limits, one for individuals under the age of 65, and another for individuals between the age of 65 and 69. In 1999, those limits are $9,600 and $15,500, respectively. Individuals under the age of 65 with annual earnings of $20,000 stand to lose $5,200. Individuals between the ages of 65 and 69 with annual earnings of $20,000 stand to lose $1,500. In either event, individuals with critical expertise are encouraged not to work, to the detriment of all Americans.

JOHNSTON ATOLL

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, recently I introduced H.R. 478, that requires the National Labor Relations Board to assert jurisdiction over Johnston Atoll.

Johnston Atoll is an unincorporated territory located about 800 miles southwest of Hawaii. Currently, the atoll is being used for weapons disposal where military and civilian employees work with hazardous materials and under potentially dangerous conditions to dispose of chemical weapons.

Civilian workers presently on the island cannot seek the protection of safe and fair working conditions as normally provided to workers in the United States because the civilian workers on Johnston Atoll are not under the jurisdiction of the NLRB.

This is a problem that is going on 9 years. In a petition before the NLRB in 1990, 185 employees of the civilian contractor were denied recognition as a bargaining unit by the Board because the Board declined to assert jurisdiction over the territory of Johnston Atoll.

My legislation recognizes this injustice and simply states that the Board cannot decline to assert jurisdiction over a labor dispute which occurs on Johnston Atoll.

Without my legislation, these workers are left without any recourse. There is no State or local agency to assist them, and the one entity established by Congress to protect them has declined to do so. This is a situation that we can easily remedy. By enacting H.R. 478, we provide the workers on Johnston Atoll the same protections as the rest of the Nation. I urge my colleagues to rectify this situation and support this bill.

POLITICALLY MOTIVATED ARRESTS IN BELARUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to decry the growing litany of repressive measures undertaken by the Government of Belarus against the opposition, especially against members of the opposition's Central Electoral Commission (CEC). Earlier this year, the legitimate Belarusian parliament—the 13th Supreme Soviet, disbanded

by president Alexander Lukashenka after the illegal constitutional referendum which extended his term of office by two years to 2001—set a date for the next presidential elections for May 16 and set up a Central Election Commission to conduct these elections. According to the 1994 constitution, which most of the international community recognizes as legitimate, Lukashenka's term expires in July. Lukashenka has rejected calls for a presidential election and is clearly attempting to neutralize democratic opposition to his authoritarian rule. The most egregious crackdown in recent weeks was the sentencing of CEC chairman Viktor Hanchar, to 10 days ''administrative detention''. Hanchar suffered some injuries when he was detained and treated roughly by police. He was not given access to his lawyer, Hari Pahanyayla, and his wife was not permitted to see him.

A few days earlier, on February 25, fifteen members of the CEC were arrested by police in a café where they were meeting and discussing reports from local election commissions. Special police did not have a warrant and prevented the videotaping of the arrest by Russian television. Five-day detentions or heavy fines were meted out to several CEC members, including Boris Gyunter, Anatoly Gurinovich, Sergei Obodovsky, Iosif Naumchik, Algimantas Dzyarginchus, Alexander Koktysh, Nikolay Pohabov, Valery Sidorenko and Leonid Zakurdayev. Additionally, warnings have been issued to several members of regional opposition elections committees, such as Iosif Naumchik in Vitebsk and Sergei Abadowski in Mogilev. According to Radio Liberty, in Zhodzina, Miensk region, local authorities have begun intimidating people who joined or elected opposition regional election commissions. In Gomel, several opposition activists have been summoned and questioned about their role in the organization of the May presidential elections scheduled by the opposition. Police had seized leaflets about these elections at the office of the Gomel branch of the Belarusian Helsinki Committee.

The repression of the opposition's elections committees is part of a longstanding pattern of Lukashenka's assault on democratic institutions and his campaign to stifle dissent in Belarus. On February 14, 20 students were arrested by police in Miensk for violating street demonstration laws. Among them, Yevgeny Skochko was sentenced to 10 days in jail, Victor Antonov to 5 days in jail, and Kazimir Kuchun and Ilya Banel were fined. Other opposition activists in Gomel and Borisov have been tried for unsanctioned demonstrations over the last few months. Two young workers in Gomel, for instance, were sentenced to 3 days administrative detention for holding an unsanctioned march. According to Reuters, the men were returning from a disco late in the evening and waving banners, which they were bringing home to wash.

Earlier in the month, on February 5, members of the human rights movement Charter '97 were attacked and beaten in Miensk by members of the fascist Russian National Unity party. Andrei Sannikov, the Charter's international coordinator and former deputy foreign minister of Belarus was beaten unconscious. According to the International League for Human Rights a few days later, President Lukashenka trivialized the incident on Belarusian television, saying: ''They say that some fascists have appeared in Miensk and have beaten somebody up. Do you know who they have beaten? Other fascists.'' On February 27, several thousand marchers participated in a peaceful anti-fascist demonstration in Miensk. Organizers of the demonstration, Ales Bilyatsky who was sentenced to 10 days administrative detention and Oleg Volchek who was given a stiff fine, were cited for committing administrative offenses.

In late January, Lukashenka signed a decree ordering political parties, public organizations and trade unions to re-register during the period February 1 and July 1. The re-registration process includes a variety of onerous stipulations which would have the effect of weakening the NGOs and political parties. On February 17, the Lukashenka-controlled State Press Committee threatened six independent newspapers with closure if they continued to publish information about the opposition's presidential election plans in May, charging them with ''calling for the seizure of power in Belarus.'' On March 2, police searched the offices of one of the six independent newspapers, ''Pahonya'' in Hrodno, confiscating political cartoons and letters from readers.

Clearly, political tensions are increasing in Belarus, and the divide between the authoritarian president and the democratic opposition is widening. Mr. Lukashenka and his minions should cease and desist their campaign to harass journalists, to drain and demoralize individuals and organizations in the opposition through administrative fines and detentions, and to forcefully squelch the right to the freedoms of expression and of assembly. Continued harassment of the oppositiion will only aggravate the current constitutional crisis in Belarus and most certainly will not serve to promote reconciliation between the government and opposition. Mr. Speaker, it is imperative that the international community continue to speak out on behalf of those whose rights are violated, and that we continue to support the restoration of democracy and rule of law in Belarus.

TRIBUTE TO THE CREW OF THE U.S.S. ''PHAON''

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. TALENT. Mr. Speaker, I rise to praise the officer and crew of the U.S.S. *Phaon*, and their sister ships within the Mobile Service Squadrons. Although often overlooked, their contribution to the War in the Pacific was central to U.S. and allied success in that theater.

A close reading of history will show that America's naval strategy in the Pacific theater, which called for the ability to maintain continuous operations at extreme distances from American port facilities, was in a very real sense made possible through the efforts and sacrifice of the Navy's logistics repair squadrons.

Japan's wartime plans envisioned an active defense across the periphery of its sphere of control, thus denying the United States the bases from which to launch and support offensive operations. Their leadership never prepared for the likelihood that their own forces, operating at extended distances from home port, would be forced to fight against an American navy that would develop and refine the ability to conduct nearly continuous offensive operations. Under Admirals Halsey and Spruance, the Japanese would commit to battle at one point and then find themselves overextended, or ''whipsawed,'' as American forces struck elsewhere. ''Hit 'em where they ain't.''

Underpinning this effort, and indeed making much of America's success in the Pacific possible, were the essential contributions made by the Navy's mobile Service Squadrons, which provided at-sea battle damage repair in order to return vessels to combat duty as quickly as possible. The *Phaon*, a battle damage repair ship within Mobile Service Squaron Ten, and her sister ships, materially contributed to fleet support at Tawara, Kwayalein, Eniwetok, Saipan and Tinian. In the words of historian Eric Larrabee, ''[t]he fleet had become truly free of its landbound bases.''

While much glory is rightly given to the front-line combatants, it is important that we should also recognize the contributions and the sacrifice of our combat support personnel who made ultimate victory possible.

HONORING THE LATE ALEX A. HAUGHT, FEBRUARY 17, 1964–MARCH 3, 1999—REMEMBERING HIS LIFE, SERVICE, AND FRIENDSHIP

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. CLEMENT. Mr. Speaker, we are here today to remember our friend, Alex Haught, for there is so much to remember.

I remember when I hired Alex. I already knew a lot about him, his reputation preceded him: law degree, fund-raiser, a great people person, he knew the issues, he was vastly experienced with an excellent political network. And, based on the things I knew about Alex, I hired him.

But those are not the things I remember the most.

I remember how likable he was. He was a great listener. He possessed a gentle sweetness in his character. He genuinely cared about people and had friends in every walk of life. I remember that Alex loved to hunt and fish. When I took him fishing, he caught the biggest fish. He loved his dogs, Truman and Scout, he loved his old Bronco, and the outdoors. I remember Alex as a country boy working in big cities.

I remember his infectious laugh, his loyalty, his compassionate and easygoing manner and his patience. Alex was very unselfish. He was funny. He was tough. He was sensitive.

His tastes were simple. Alex loved music and sports. Most of all, Alex loved his family and his friends.

I trusted, respected and counted on Alex Haught. I loved Alex. As did people in the White House. So did people in White House, Tennessee.

I remember my great faith in Alex Haught—such faith that I placed a large responsibility for my own political future directly on his shoulders, because you could place that kind of faith in Alex. He accomplished more in a

brief life than most people could in several lifetimes, and he had a lot more to give.

I will miss my friend Alex Haught deeply and I will always remember him.

I will remember the sense of calm assuredness that Alex imparted every day, over and over. He believed in me and he believed in each of you, even when we disappointed him. I will remember Alex's comfort dealing in the highest circles of power and his discomfort and power's pretentious trappings. I will remember his approach to solving problems and how he dealt with people. I will remember how Alex built bridges.

Most important of all, I will always remember how Alex, even on the busiest day, stopped to smell the roses. Politics is a difficult and demanding profession. Most days we race from one meeting to the next. You take one call while two are on hold and can work with someone for years without learning anything significant about them as a person.

But not Alex. He didn't walk up to your desk, state his business and leave. Alex sat in the chair and talked about life for a while first. He had a rare ability that made you want to tell him your deepest secrets. He would listen and he would listen some more. And, there was always a hint of humor even in the darkest hour. Alex loved life. And somehow, being around Alex always made you enjoy life more too.

The clock might be ticking on a critical vote in history, but it was never so important that Alex couldn't stop to ask about the latest on the University of Tennessee Volunteers football team. A deadline might be imminent, but not so pressing Alex couldn't share a joke, or a quick burger, or take your phone call.

Tennessee has lost a true leader. Our Nation has lost a bright young mind full of ideas and possibilities. And, I have lost a friend.

Alex Haught's legacy is stamped on our political system and in our individual hearts.

I miss him deeply. And Alex, I will always, always remember.

TRIBUTE TO THE MANSFIELD LADY TIGERS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. FROST. Mr. Speaker, I rise again today in praise of a remarkable group of student athletes, the Lady Tigers of Mansfield High School. This past weekend, the Lady Tigers won Mansfield's first-ever state championship in any sport by beating Corpus Christi Carroll to become Texas state champions in girls basketball.

Mr. Speaker, I just returned this morning from my district and I can tell you that the girls of Mansfield High have spread Tiger-fever throughout North Texas. Mansfield is a town with just one high school and the local school district is the largest employer, so it is expected that the Lady Tigers would be the talk of Mansfield.

But communities throughout North Texas have rallied behind the Lady Tigers, and the media in Dallas and Fort Worth have been filled with stories of the Mansfield girls toppling opponents from bigger schools. In fact, on their route to the state finals, the Lady Tigers defeated the team previously ranked number one in the entire country.

Congratulations to Mansfield Superintendent Vernon Newsom, Lady Tiger coach Samantha Morrow, and most of all to the mighty Mansfield Lady Tiger student athletes. Your hard work and dedication throughout this season have been an inspiration to everyone in North Texas. You have our gratitude for an inspiring and exciting season. Hopefully this will be the first of many trips to Austin for the Mansfield Lady Tigers.

MARY CURTIS ARANHA, MARYLAND'S 1999 MOTHER OF THE YEAR

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. WYNN. Mr. Speaker, I rise today to salute Maryland's 1999 Mother of the Year Mary Curtis Aranha. She will represent Maryland at the national convention of American Mothers, Inc. (AMI) in Honolulu, Hawaii, on April 27, 1999, where a national Mother of the Year will be selected—a practice that began in 1935 with Sara Delano Roosevelt.

A resident of Capitol Heights, MD and my constituent, she has been cited by Governor Parris Glendening for her devotion to her family as well as her tireless efforts on behalf of the education and moral development of other children and families throughout Maryland. As Principal of Benjamin Foulois Traditional Academy, she introduced a program of character education and mother mentoring that has inspired emulation in many Maryland communities and has received national recognition. She now leads Maryland's Office of Character Education where she combines both her professional and volunteer efforts on behalf of children and families.

AMI, founded in 1933, the official sponsor of Mothers Day, is the sponsor of the Mother-of-the-Year program where outstanding mothers from all walks of life and ethnic, racial and socio-economic backgrounds in America's 50 states and the District of Columbia are honored as representative of the ''best in the state''. The organization which has chapters in local communities throughout America provides outreach programs that enhance the growth and well-being of families.

Mr. Speaker, please join me in cheering Mary Curtis Aranha, Maryland's 1999 Mother of the Year.

INTRODUCTION OF H.R. 932, THE WORK FOR REAL WAGES

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to speak on a bill that I recently introduced, H.R. 932—the Work for Real Wages Act. H.R. 932 requires that welfare recipients who perform unpaid work as a condition of receiving benefits be credited with wages for the purposes of calculating the Earned Income Tax Credit [EIC].

It is extremely unfair to require work, not pay any wages for that work, and credit nothing toward Social Security, unemployment compensation, and other wage-based benefits programs.

But this is exactly what is currently allowed under the new welfare reform law. States are able to enact workfare programs in which welfare recipients are forced to work off their welfare benefit, rather than receiving real wages.

My bill corrects this problem by crediting the hours worked without direct compensation as though minimum wage were paid for the purpose of claiming earned income tax credits.

If work is a virtue, then all work should be treated the same.

I urge my colleagues to support my bill, H.R. 932, the Work for Real Wages Act.

CELEBRATING WTOP'S 30 YEARS OF SERVICE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. HOYER. Mr. Speaker, I rise today to recognize one of Washington, D.C.'s most dependable and objective sources of news, WTOP Radio, which celebrates its 30th Anniversary today.

WTOP has always been a prime source of information on major news events. Their veteran news staff has covered historical events such as the Watergate scandal, the Vietnam War, the Persian Gulf War and the recent impeachment and Senate trial of President Clinton.

Throughout all of these turbulent times, WTOP has presented comprehensive, up to the minute coverage of events. In an era when some news outlets have diminished the amount of coverage devoted to political activity, WTOP remains committed to their format of bringing the latest developments on Capitol Hill to their listening audience. This, however, would not be possible without Dave McConnell, WTOP's Congressional correspondent.

Dave McConnell has been working with WTOP since 1965 and has been doing a daily broadcast called, ''Today on the Hill'' since 1981. With this show, Dave talks directly to members about issues and developments that are unfolding in Congress. I have had the privilege of working with Dave for almost twenty years. A native of Washington, D.C., he attended the University of Maryland and went on to cover Prince George's County and Maryland politics when I was the President of the State Senate. I have always found Dave to be a fair, dedicated and knowledgeable reporter. He does a great service to the people who depend on WTOP for their news.

WTOP serves a real need of the community, not only providing important political news, but also traffic, weather and sports. I know that all my colleagues join me to commend WTOP on 30 years of dedicated service to the community and wish them even greater success in the next 30 years.

DISASTER MITIGATION AND COST REDUCTION ACT OF 1999

SPEECH OF

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes:

Mr. TERRY. Mr. Chairman, H.R. 707, ''The Disaster Mitigation and Cost Reduction Act of 1999'' is a good bill for three reasons. First, this legislation will provide funding to a newly created pre-disaster mitigation program, which is something that has been needed for quite sometime. Second, this legislation will increase the authorization for post-mitigation funding by 33 percent. Third, H.R. 707 places the needs of victims ahead of bureaucratic red tape.

When a disaster occurs, non-profit organizations should be given the ability to move as fast as possible to help restore vital services to those in need. These organizations, what are known as ''lifeline facilities,'' provide critical services such as: communications power, drinking water, water treatment, and emergency medical care to communities in need. In the wake of a disaster, it is imperative that these facilities receive the aid necessary to recover without delay, so they can help others that might be suffering. It does not make sense to impose any additional paperwork burden on these organizations in the hours or days after a disaster has occurred.

I am pleased that the legislation includes an amendment I offered in Committee to allow these critical care facilities to be put back into service as soon as possible in order to prevent additional loss of life or property.

Mr. Chairman, I am a strong supporter of cutting unnecessary federal spending. However, if even one life may be threatened because of delay, it is not worth it.

I commend my colleague and Subcommittee Chairwoman TILLIE FOWLER for her efforts.

H.R. 707 is a good bill and one that I ask every member to support.

CONGRATULATING WTOP RADIO FOR THIRTY YEARS OF NEWS COVERAGE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MORELLA. Mr. Speaker, I rise today in order to recognize and celebrate a Washington establishment. Today marks the thirtieth anniversary of WTOP radio's commitment to an all-news format here in the nation's capital. Since 1969, WTOP has been Washington's only all-news radio station, and a primary source of information on major news events.

For thirty years, WTOP has been a leader in the reporting of international, national, and local news. WTOP has consistently provided comprehensive, up-to-the-minute news coverage. The frequent weather and traffic reports have kept Washington informed and on time. In addition to reporting the news, I am proud that WTOP has shown a true community commitment. The station dependably reports and produces public service announcements and school closings. In addition, WTOP has consistently helped to raise funds with various charity organizations.

Several national broadcasting figures started their careers at WTOP, including Connie Chung, Warner Wolf, Roger Mudd, and Sam Donaldson. During my service in Congress, I have had the pleasure to work with another Washington institution, WTOP's long-term Capitol Hill Correspondent Dave McConnell.

WTOP continues to serve more than just Washington. I am pleased that WTOP has provided my district in Montgomery County, Maryland with around-the-clock news coverage for these thirty years. WTOP's current AM and FM broadcast signals reach listeners from Baltimore to Richmond, and from the Chesapeake Bay to the Shenandoah Valley.

I extend my warmest congratulations to WTOP radio on this special anniversary.

TRIBUTE TO EDWARD PATZ

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. VISCLOSKY. Mr. Speaker, it gives me great pleasure to pay tribute to an outstanding citizen of Indiana's First Congressional District, Mr. Edward Patz. On March 27, 1999, Mr. Patz, along with his friends and family, will celebrate his retirement from the Pipefitter's Local Union 597. This reception will take place at the Villa Cesare in Schererville on March 27, 1999.

Ed Patz has dedicated a substantial portion of his life to the betterment of union members and the community of Northwest Indiana, as well as the entire state.

Mr. Patz's distinguished career in the labor movement has made his community and nation a better place in which to work and live. For more than forty years, Mr. Patz has served as an important figure in Local #597. He has held several positions throughout his tenure, but none as important as Business Agent, a position from which he retired on January 1, 1999.

Mr. Patz began his involvement with Local Union 597 in 1956, through his Pipefitter Apprenticeship with the Robert Gordon Corporation. Ed Patz was the top apprentice in the state of Indiana and won the state apprenticeship contest on November 23, 1960. In the same year, Mr. Patz graduated from the apprenticeship program and attained the rank of a journeyman. In 1983, Mr. Patz was elected to the Pipefitter's Local Union 597 executive board, where he served a three-year term. Mr. Patz was elected to the position of Business Agent in June of 1986, where he remained until his retirement in January 1999. Ed Patz served three consecutive two-year terms as Secretary-Treasurer for the Northwest Indiana Building Trades Council, and was involved as a committee chairman and/or member of numerous committees associated with the Building Trades Council. Ed Patz has devoted his career toward the expansion of labor ideals and fair standards for all working people.

On this special day, I offer my heartfelt congratulations to Ed Patz. His large circle of family and friends can be proud of the contributions this prominent individual has made. His work in the labor movement provided union workers in Northwest Indiana opportunities they might not have otherwise had. Mr. Patz's leadership kept the region's labor force strong and helped keep America working. Those in the movement will surely miss Mr. Patz's dedication and sincerity. I sincerely wish Ed Patz a long, happy, and productive retirement.

TRIBUTE TO ELENA PEISER HANRAHAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to Elena Peiser Hanrahan on the celebration on her 70th birthday on Saturday, March 13, 1999.

Elena is a woman of many accomplishments. She has been a leader in her Bayside community for many years and she has volunteered countless hours for many different causes.

Elena has served her parish of Our Lady of the Blessed Sacrament as President of the Rosary Society. She has also been an active member of the National Council of Catholic Women. She served as President of the Brooklyn Diocesan branch of the NCCW, and was appointed executive director of the Northeast region. She currently is the NCCW representative to the United Nations.

Elena was the Director of Volunteers at the New York Eye and Ear Infirmary for 12 years. While there, she expanded the network to include handicapped volunteers as well as senior citizens and teens.

Currently, Elena is the community relations director for her local chapter of the American Association of Retired Persons. She still maintains her busy schedule at her church where she helps to produce the monthly newsletter, organizes a pre-school group called ''Mommy and Me,'' and lectors regularly at Mass.

Elena has accomplished all of this while devoting herself to her family of 8 children, 4 stepchildren, and 10 grandchildren. She is an energetic and motivated citizen who shows no sign of slowing down as she enters her eighth decade.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in extending my best wishes and congratulations to Elena Peiser Hanrahan on the occasion of her 70th birthday, and wishing her many more years of active service to her family and to her community.

IN SUPPORT OF H. CON. RES. 22

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. DEUTSCH. Mr. Speaker, I was very disturbed to read on the front page of The Washington Post on February 11, 1999 the headline

''Chinese Missiles Menace Taiwan.'' Throughout my tenure in Congress, I have fought hard to ensure the safety of Taiwan, and this report and others are evidence that Congress must be vigilant in reinforcing its commitment to this tiny island state.

According to a Pentagon report, Beijing now has 150–200 ballistic missiles aimed at Taiwan and has plans to increase that number to 650. It is clear that this threat is a challenge to Taiwan's increased democracy and independence—as evidenced most recently by its successful elections.

We all remember the last time this happened. In March, 1996, China reacted to Taiwan's imminent first democratic presidential elections by testing missiles in the waters just miles off the coast of Taiwan's largest harbor, Kaohsiung. The United States responded swiftly and effectively, by dispatching aircraft carriers to the Taiwan Straits to show the Chinese government our strong opposition to its actions.

Our response in 1996 was based on the provisions of the 1979 Taiwan Relations Act, which stipulated that the United States consider ''any effort to determine the future of Taiwan by other than peaceful means . . . of grave concern to the United States.'' Our response now should be based on this same principle.

1999 marks the 20th anniversary of the Taiwan Relations Act—the cornerstone of U.S. commitment to Taiwan's safety and security. We must commemorate this anniversary by sending a clear message to Beijing that their acts of aggression and intimidation against Taiwan need to cease. Beijing must understand that, as we have in the past, we will come to the aid of Taiwan in case of a Chinese threat.

I am proud to be a co-sponsor of H. Con. Res. 22 which concludes that ''the United States should help Taiwan defend itself in case of threats or a military attack by the People's Republic of China against Taiwan.'' This resolution repeats the provisions of one I introduced in 1997, which was passed by the House of Representatives later that year.

Mr. Speaker, let us pass H. Con. Res. 22 now, and let us send a strong message to Beijing that we will not stand idly by while our friends on Taiwan are bullied into submission by Chinese military might.

INTRODUCTION OF H.R. 931

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to introduce a bill important to all workers, H.R. 931.

We no longer live in an era of one-company careers. Workers today change jobs with frequency. Oftentimes, these job changes are because of the worker's own choosing, however, just as often, they are not. In this era of downsizing and mergers, no one is safe from unemployment. Fortunately, Congress established the unemployment compensation system to provide temporary financial relief to workers who have lost their jobs. And it is a good thing it did. Last year, unemployment compensation was estimated to have helped 8.6 million workers who lost their jobs.

H.R. 931 takes this important program and goes a step further to improve it. It allows individuals who left their jobs because of sexual harassment or the loss of child care to collect unemployment compensation.

Sexual harassment is a widespread phenomenon. 42% of women and 15% of men have encountered some sort of sexual harassment in occupational settings. Despite the pervasive nature of this problem, only 1%–7% of victims file formal complaints. Oftentimes, sexual harassment results in low productivity and absenteeism. Although some victims may escape the problem simply by leaving their jobs, this option is not available for everyone. Unless one has money saved or another job lined up, it is hard to give up a steady pay check.

My bill addresses this economic obstacle by giving victims of sexual harassment the option to leave their jobs and to collect unemployment compensation if they can show ''facts sufficient to establish a prima facie case'' that they were victimized by sexual harassment.

In addition, H.R. 931 helps workers who leave employment because of the loss of child care by allowing them to collect unemployment compensation.

The need for child care is a daily reality for millions of America's working families. As real wages have stagnated over the last decade, many families have adapted by having two wage earners per family. Also, over this same period, the number of children living in mother-only families has increased. As a result, more women with children are working. In 1997, 65% of women with children under the age of 6 were working compared to only 39% in 1975. Child care is critical for these millions of working families.

If a working parent loses this child care, he or she has little choice but to stop working until new child care can be found. H.R. 931 would help those parents by allowing them to collect unemployment compensation if they left their jobs because of the loss of adequate child care for a dependent child under the age of 12.

The loss of child care places a tremendous strain on working parents. Although H.R. 931 does not relieve the stress over this loss, it does ease the financial strain placed on parents in this situation.

I am proud to introduce H.R. 931 and I urge my fellow Members of Congress to join me in support of this bill. We must seize the opportunity to help workers trapped in these unfortunate situations.

HONORING THE LIFE OF HENRY A. GOMEZ

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. GREEN of Texas. Mr. Speaker, I ask all of my colleagues in Congress to join me in paying tribute to an outstanding individual and my high school football coach, Henry Gomez. Coach Gomez passed away on January 13th after leading a long and distinguished life of service to his community and commitment to the enrichment of young minds.

Henry Gomez devoted his professional and private life to serving his home state of Texas. After graduating from Jeff Davis High School in Houston, he entered the Navy to bravely fight for his country during World War II, where he served in the Seabees as a special undersea diver in the Philippine Islands.

After the War, he returned to his hometown of Houston to continue his education at the University of Houston. Henry was an outstanding athlete on the first University of Houston football team. His love of the game was so great that, upon graduation in 1948, he began coaching the Aldine School District football team. His true enjoyment of working with young players and enthusiasm for football soon made him a respected figure at the school. After a 7-year tenure at Aldine, Henry moved to Jackson Jr. High and later to our alma mater, Jeff Davis High School.

It was during his 14-year career at Jeff Davis High School that I came to know Coach Gomez. While a young player on his teams, I learned the true importance of teamwork and cooperation that remains with me today. At Jeff Davis, his influence reached beyond the football field as he worked as counselor and ultimately Vice Principal of the school. He was a leader who drew much admiration from his students, players and colleagues.

Hoping to expand his involvement with the young people of his community, Mr. Gomez transferred to James Deady Middle School where he began another 14-year career as Assistant Principal. He was lovingly known during his tenure as the ''Sheriff of Deady,'' whose firm yet kind demeanor and dedication to the enrichment of young minds drew respect and love from all who knew him.

Upon retirement from his long career in education, Henry Gomez maintained close ties with the Texas school system, where he was involved in both the Houston and Pasadena Area Retired Teacher's Association.

The death of Henry Gomez is a blow to all who loved and respected him. His years of working with students and his devotion to his community touched a countless number of lives, including my own. Those of us who were fortunate enough to have known him will never forget his kind spirit, his leadership in the community, and his dedication to coaching and teaching. He has left a legacy that will never be forgotten.

Mr. Speaker, please join me in paying tribute to the life of Henry Gomez. Those of us fortunate enough to have known him are truly blessed.

INTRODUCTION OF LEGISLATION ESTABLISHING THE ''MEDICAL INNOVATION TAX CREDIT''

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. SAM JOHNSON of Texas. Mr. Speaker, today, Congressman SANDER LEVIN and I have introduced legislation, H.R.—that will establish a new ''Medical Innovation Tax Credit.'' Last year, we introduced similar legislation with strong, bipartisan support. This bill is designed to provide incentives for companies to utilize our Nation's medical schools and teaching hospitals to conduct important clinical testing research. These institutions have led the world on the development of medical advances, including cures for small pox, treatments for diabetes, cancer, and leukemia as well as the

irradication of polio. It is important that we make every effort to insure that American teaching hospitals and medical schools remain leaders in the fight against disease.

Medical schools and teaching hospitals are the training grounds for our nation's health care professionals. They are centers for development of innovative medical technologies and treatments, as well as the backbone for innovation in American medicine. They are able to develop life saving drugs, medical devices and surgical techniques due to their unique position to link research, medical training and patient care. Unfortunately, medical schools and teaching hospitals face serious financial challenges due to profound changes in the health care marketplace. As funding shrinks, so does the vital, life saving medical research they perform.

The Medical Innovation Tax Credit is a response to this alarming decline in utilization of the Country's superior medical facilities for clinical trials. Under the credit, companies would be eligible for an incremental 20% tax credit for expenditures on human clinical trials performed by: (1) non-profit or public medical schools; (2) teaching hospitals owned by or affiliated with an institution of higher learning; (3) a medical research organization affiliated with a medical school or teaching hospital; or (4) non-profit research hospitals that are designated as cancer centers by the National Cancer Institute of the National Institutes of Health. The credit requires that research be performed in the United States, encouraging companies to retain and expand their clinical research projects, rather than relocating such activities abroad.

I urge my colleagues to join with me in the establishment of the Medical Innovation Tax Credit. A tax credit that is truly a ''credit for life.''

TRIBUTE TO DANIEL GANZ AND BEVERLEE KAUFMAN FOR THEIR 50TH WEDDING ANNIVERSARY

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to pay tribute to Daniel M. Ganz and Beverlee Kaufman, who will be celebrating the 50th anniversary of their wedding on March 27, 1999. It is fitting that they are celebrating this anniversary with their two children (David and Sandy), their friends, and the rest of their family.

For many years, Beverlee and Danny Ganz lived in Rockville Centre, Long Island, where they raised their family and were active in community affairs. Dan, in particular, was very involved with the Recreation Department as a volunteer working with both table-tennis and court-tennis.

They sent their children to the Rockville Centre public school system. David then went off to Georgetown University, in Washington, D.C., and Sandy to Northeastern University in Boston, Massachusetts.

David became a lawyer, practicing in New York City and New Jersey, later served as the volunteer president of the American Numismatic Association, and currently presides as the Mayor of Fair Lawn, New Jersey. He has just written his 14th book-length work.

Sandy went on to earn a Masters degree in physical therapy, and to find employment as the Associate Director of Physical Therapy at the Manhattan Hospital for Special Therapy. She then became director for the Amsterdam Nursing Home division, and has authored several works on physical therapy treatments.

I met Dan and Bev at David's inauguration as Mayor this past January 1st, and I am glad to know such a devoted couple, who are also two remarkable individuals.

It is rare today that any couple can spend a half century in wedded bliss, but they are two people who have managed it. Dan turns 80 this October and Bev will be 75 in just a few weeks, but they are both still active in their new home in Boca Raton, Florida, playing tennis, golf, and exploring the Internet.

Recently, Dan, who is a World War II veteran with 26 missions in the Triangle ''A'' squadron in England, used the Internet to reunite with his Captain and navigator, whom he had not seen in 54 years. Last year, he met up with the remainder of his crew. Some of his combat photos, including the Bridge of the Remagen, were included in the wartime exhibit shown at the National Archives in Washington.

He has not stopped giving to his community. In Boca Raton, he has been performing magic—which he has done professionally for nearly 70 years—at hospitals for youngsters with terminal diseases such as AIDS, and for seniors. Bev is now frequently his assistant at these events.

They have three grandchildren (Scott, Elyse, and Pam), daughter-in-law Kathy, and a host of friends and relatives who are joining them and their children in celebration of their first 50 years of marriage. I wish them well and congratulate them on this wonderful achievement.

CONSERVATIVES SUPPORT UNLOCKING AVIATION TRUST FUND

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. SHUSTER. Mr. Speaker, unlocking the Aviation Trust Fund is a tax fairness issue. Republicans should unanimously support this effort, because it restores honesty to the budget process. A part of the budget surplus comes from aviation user fees that the travelling public pays on a promise from Congress to ensure a safe and efficient transportation system. In ten years, under current aviation investment patterns, it will be neither safe nor efficient.

Moreover, investment in assets for America is a Republican concept and sound transportation infrastructure is the foundation of commerce and our economy. We can credit Theodore Roosevelt with the vision to build the Panama Canal, and Dwight Eisenhower for the Interstate Highway System. Republicans have historically been the party of builders and we should continue to advocate sound federal programs that enrich our nation and our quality of life.

I am submitting for the record a letter from Paul Weyrich, National Chairman of the Coalition for Americans, supporting our efforts to unlock the Aviation Trust Fund and make much-needed investment in our airports and air traffic control system.

Let it not be under our watch that the nation's aviation system falls into such disrepair that Americans are imperiled when they take to the skies. I urge my conservative colleagues to support protecting the Aviation Trust Fund by cosponsoring H.R. 111, the ''Truth in Budgeting Act,'' and supporting a Budget Resolution that reflects this critical priority.

COALITIONS FOR AMERICA,
Washington, DC, March 8, 1999.

Hon. BUD SHUSTER,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN SHUSTER: I am writing to congratulate you for introducing AIR–21, a bill to ensure adequate funding for the national air transportation system. Your proposal to require that federal aviation user taxes be used for their intended purposes—particularly development of airports and the air traffic system—is commendable. The needs of the aviation system are so massive that all available funds must be spent. The health of our economy depends to a very significant extent on a vibrant air transporation system.

I also applaud your inclusion in AIR–21 of a provision to lift the federally imposed restriction on the local airport funding option known as the passenger facility charge (PFC). As I stated in my letter of February 8, whenever there is an opportunity for the federal government to provide more autonomy to local governments, it should do so. Your bill does that. While it would be preferable to remove the PFC cap entirely, easing the federal restriction on local government funding prerogatives by doubling the amount of funds that airports can raise through this means is a constructive step. I urge you to continue to pursue the goal of eliminating the federal cap on PFC's, but in the meantime, I support the provision in your bill. I urge your colleagues in the House and Senate to support it as well.

It is also critical to ensure that airports have the ability to spend the PFC to meet the needs that exist at their particular facilities. For some airports, the needs are greatest on the airside—runways, taxiways, and aprons. At other airports, gates and related facilities throughout the terminal are needed to expand capacity or enhance competition. At still other airports, groundside access is the biggest problem. Given that PFCs are collected from the passenger, any project that makes the passenger's trip to or through the airport more efficient and less susceptible to congestion and delays—whether airside, in the terminal, or groundside—should be allowed.

I know that you are particularly concerned about protecting the interests of passengers. Ensuring that airports have the flexibility to use PFCs to fund projects that ease the burdens encountered by the traveling public any where at the airport will certainly be in the passengers' interest.

Again, I applaud your commitment to promote the development of the national air transportation system, for the benefit of our national and regional economies and the passengers and shippers who use the system.

Sincerely,

PAUL M. WEYRICH,
National Chairman.

SUNRAYCE 99

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. SALMON. Mr. Speaker, I rise today to sponsor the House version of the resolution that will permit the organizers of Sunrayce 99 to sponsor a public event, with solar-powered cars, on the Capitol Grounds on June 20, 1999, or on such other dates as the speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, to conduct opening ceremonies for Sunrayce 99. Senator ALLARD has introduced the Senate version (S. Con. Res. 13).

As the Chairman and co-founder of the House Renewable Energy Caucus I appreciate the innovation necessary to identify and utilize alternative forms of energy. As we move into the 20th Century, one of the critical environmental challenges facing us is the need to discover the possibilities of sustainable energy development, so that our children, and their families will be able to enjoy the clean air and environment that is so important to the health of our nation.

From June 20 to 29, 1999, the world will watch as up to 40 teams participate in Sunrayce 99 and demonstrate good-spirited competition and innovation at its best. The teams will race through five states, from the start in Washington, DC, to the finish at Epcot at Walt Disney World Resort near Orlando, FL in the nation's premier solar powered vehicle event.

Sunrayce 99 showcases the imagination, ingenuity and teamwork of graduate and undergraduate teams from North America in the development of highly efficient vehicles powered solely by a viable, renewable and sustainable energy source—the sun. I am proud to note that the University of Arizona has registered a team. General Motors, Electronic Data Systems along with the U.S. Department of Energy are the sponsors of this biennial intercollegiate competition.

The top three finishing teams will receive trophies and cash awards. Scholarship achievement awards will also be granted for technical innovation, engineering excellence, artistic talents, teamwork and good sportsmanship.

Sunrayce 99 not only demonstrates the possibilities of sustainable energy development, but also the importance of public/private partnerships. This approach will allow companies to work hand in hand with government in successfully tackling the environmental challenges ahead. I applaud the participants of Sunrayce 99—sponsors, applicants, universities, and administrators—for making innovation a reality.

THE ST. PATRICK'S DAY PARADE

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the Queens County St. Patrick's Day Parade & Cultural Committee's 24th Annual St. Patrick's Day Parade, the second largest St. Patrick's Day Parade in New York State.

This parade is not only a festive happening, it is a chance for all of us in New York City to celebrate and pay tribute to Irish culture.

This year's honorees represent the best of what our City's political, educational and religious leaders have to offer.

Grand Marshal Geraldine D. Chapey is a member of the New York State Board of Regents and is the past President of Community School Board 27. Fellow Grand Marshal Chief Bernard (Buddy) Sullivan is the founder of the ''New York Sanitation, Emerald Society, Pipe and Drum Band'' and an active member of the New York City Department of Sanitation Emerald Society.

Honorary Grand Marshal Monsignor Martin T. Geraghty has served as the pastor of St. Francis de Sales parish since 1988. Fellow Honorary Grand Marshal Janet Timlin Fash is the president of the Rockaway Action Committee and works as a media teacher for Community School District 27.

The Parade's seven Deputy Grand Marshals, Harold Rochelle, J.P. Farrell, Frances Sheehan, William W. Whelan, Margaret Clarke Keating, Ann Barbera and Senator A. Waldon, Jr. have each devoted themselves to making the Rockaways a better place to live by helping their friends and neighbors regardless of the circumstances.

Parade Founder and Chairman James Conway Sullivan and Vice Chairman Michael A. Benn have consistently been recognized for their efforts at bringing together New York's Irish-American community. Through their dedicated efforts, they have helped to improve my constituents quality of life.

Each of today's honorees have long been known as innovators and beacons of good will to all those they come into contact with. In recognition of their many accomplishments on behalf of my constituents, I offer my congratulations on their being honored by Queens County St. Patrick's Day Parade & Cultural Committee.

WTOP RADIO'S 30 YEARS OF NEWS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. MORAN of Virginia. Mr. Speaker, today marks the 30th anniversary for WTOP Radio as an all-news station in Washington.

Since 1969, WTOP has been a prime source of information on major news events. From Watergate to the House impeachment and Senate trial of President Clinton, WTOP has led the way in providing up-to-the-minute news to area residents.

From the turmoil of the late Vietnam era through the continuing disruption in the Middle East, WTOP has presented comprehensive, accurate, and timely news coverage.

Traffic, weather, and sports are part of the news cycle as well, and all are featured in WTOP's extensive reporting.

Congressional activity is a major source of news on WTOP, and Congressional Correspondent Dave McConnell is a well-known and well-respected presence who reports daily on his Today on the Hill broadcasts, often talking directly to members about issues and developments. His is clearly the most professional and reliable source of Capitol Hill news available to the Washington area—even for us members.

I ask the House to join me in recognizing WTOP's valuable contribution to the greater Washington area over the last 30 years, and in my hope that the station will continue to provide us with around-the-clock news for many years to come.

SPEECH OF RON RANKIN

HON. HELEN CHENOWETH

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. CHENOWETH. Mr. Speaker, it is clear through the writings of our Founding Fathers that the freedom of religion and a belief in God was essential to the prosperity of this great nation.

The Declaration of Independence framed our country's political and legal systems and a strong reliance and recognition of God because it acknowledged that we ''are endowed by their Creator with certain unalienable rights . . .''. Furthermore, Article VI of the Constitution states, ''. . . but no religious test shall ever be required as a Qualification to any Office or public Trust under the United States.'' Additionally, the First Amendment prohibits the federal government from the ''establishment of religion, or prohibiting the free exercise thereof.''

Ron Rankin, a Kootenai County Commissioner from Ceour d' Alene, Idaho delivered a powerful speech embodying these principles on November 28, 1998. I urge all my colleagues to read Mr. Rankin's words to see how much we need God's guidance in today's world:

Our prisons are full. Our jails are full. Crime is rampant in our streets. Our children's minds are corrupted by the media and their bodies by drugs. The cost of criminal justice is sapping our tax dollars to the extent that we are using funds better spent on education just to maintain our detention and correction facilities to protect our families from criminals.

In spite of these indisputable facts, 26 states and numerous counties and cities that have passed resolutions supporting ''Read Your Bible Week'' in an effort to encourage people to return to the moral absolutes contained therein, are now being challenged in court.

The American Civil Liberties Union and their liberal supporters are determined to protect us—not from criminals but from ''God'', claiming a separation of church and state clause that does not exist in the Constitution—that glorious standard written by men raised up by God unto that very purpose.

On July 4th, 1776, there was, signed in the city of Philadelphia, one of America's historic documents which preceded the divinely inspired Constitution—The Declaration of Independence. It marked the birth of this nation, which, under God, was destined to be the cradle of freedom.

We often forget that in declaring independence from an earthly power, our forefathers made a forthright Declaration of Dependence upon Almighty God. The closing words of this great document solemnly declare ''With a firm reliance on the protection of providence, we mutually pledge to each other our lives—our fortunes—and our sacred honor''.

The fifty-six courageous men who signed that document knew this was not just high-sounding rhetoric—and that if they succeeded, the best they could expect would be years of struggle in a new nation. If they lost, they would face the hangman's noose as traitors.

Of the fifty-six, few were long to survive. Five were captured by the British and tortured before they died. Twelve had their homes sacked, looted, occupied by the enemy or burned.

Two lost their sons in the army. One had sons captured. Fifty-six died in war from its hardships—or its bullets.

John Quincy Adams penned these words: ''Posterity—you will never know how much it has cost my generation to preserve your freedom. I hope you will make good use of it.''

For years we flourished as a Christian nation. The Supreme Court, in an 1892 decision, declared: ''Our laws and our institutions must be based upon and embody the teachings of the Redeemer of Mankind. It is impossible that it should be otherwise; *and to this extent, civilization and our institutions are emphatically Christian!* ''This in a religious people!''

''This is historically true. From the discovery of this continent to the present hour, there is a single voice making this affirmation—we find everywhere a clear recognition of the same truth—that *this is a Christian nation.'' This from the Supreme Court: 1892.*

In this century, our great nation began to crumble morally.

In June of 1962 the Supreme Court, which once ruled that America was a Christian Nation, declared prayer in public schools to be unconstitutional. The Bible and God Himself, were expelled. This in spite of the fact that America's greatest leaders have shown no doubt about God's proper place in the American government!

Every session of the House and Senate begins with prayer—each house has its own Chaplain.

The Eighty-third Congress set aside a small room in the capital, just off the rotunda, for the private prayer and meditation of members of Congress. The room's focal point is a stained glass window showing George Washington knelling in prayer. Behind him is etched these words from Psalms 16:1 ''Preserve me, O God for in thee do I put my trust.''

Inside the rotunda is a picture of the Pilgrims about to embark on the sister ship of the Mayflower—the Speedwell. The ship's revered chaplain, Brewster, who later join the Mayflower, has open on his lap, the Bible.

Very clear are the words, ''The New Testament, according to our Lord and Savior, Jesus Christ.'' On the sail is the motto of the Pilgrims—IN GOD WE TRUST, GOD BE WITH US.''

The phrase, ''In God We Trust'' appears opposite the President of the Senate, who is the Vice President of the United States. The same phrase, in large words inscribed in marble, backdrops the Speaker of the House of Representatives.

Above the head of the Chief Justice of the Supreme Court are the Ten Commandments, with the Great American eagle protecting them. Moses is included among the great lawgivers in a marble sculpture on the east front. The crier who opens each session, closes with these words; ''God save the United States and the Honorable Court.''

Engraved on the metal cap on top of the Washington Monument are the words: ''Praise Be To God.'' Lining the walls of the stairwell are such biblical phrases as, ''Search the Scriptures'', ''Holiness to the Lord'', ''Train up a child in the way he should go and when he is old he will not depart from it.''

Numerous quotations from the scriptures can be found within the walls of the Library of Congress. One reminds each American of this responsibility to his Maker. ''What doth the Lord require of thee, but to do justly and love mercy, and walk humbly with thy God.'' (Micah 6:8) Another preserves the psalmists acknowledgement that all nature reflects the order and beauty of the Creator: ''The Heavens declare the Glory of God, and the firmament showeth His handwork.'' (psalm 19:1) And still another reference: ''The Light shineth in darkness, and the darkness comprehendeth it not.'' (John 1:5)

I, like millions of others, have stood in the Lincoln Memorial and gazed up at the statute of the great Abraham Lincoln. The sculptor who chiseled the features of Lincoln in granite seems to make Lincoln speak his own words inscribed into the walls: ''* * * that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth.'' At the opposite end, on the north wall, his second inaugural address alludes to ''God'', ''the Bible'', ''Providence'', ''The Almighty'' and ''divine attributes.'' And then continues: ''As was said three thousand years ago, and so it still must be said, 'The judgements of the Lord are true and righteous altogether.'''

At the Jefferson Memorial on the south banks of Washington's tidal basin, Jefferson still speaks: ''God who gave us life, gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed I tremble for my country when I reflect that God is just, that his justice cannot sleep forever.'' This is indeed an explicit warning to us. Especially to us in this day that, to allow God to be removed from this country, will surely destroy it.

A result of our lack of resolve—the once Great American Dream is turning into a spiritual nightmare. *America has rejected God in dealing with the issues of life.* When God fades from a nation's conscience, one can justify almost anything. For example:

God says: ''Thou shalt not kill.''

Americans have given murder a new name and now abort one and one half million babies a year. Many try to camouflage sin with new age terminology.

God calls it ''Drunkenness.''

We call it alcoholism—a social disease.

God calls it ''Sodomy.''

We call it homosexuality—gay rights—an ''Alternative Lifestyle.''

God calls it ''Perversion.''

We call it pornography—''Adult'' entertainment.

God calls it ''Immorality.''

We call it the ''New'' morality.

God calls it ''Cheating.''

We call it abnormal social development.

With the erosion of moral absolutes Jefferson's warning should make us all shudder as each succeeding generation drifts further from the moral absolutes of the Lord.

As revealed in the scriptures and banned by the courts from our schools, the words of a great Christian reformer, Martin Luther, become prophetic. ''I am much afraid that schools will prove to be great gates of Hell unless they diligently labor in explaining the Holy Scriptures, engraving them in the hearts of youth. I advise no one to place his child where the scriptures do not reign paramount. Every institution in which men are not increasingly occupied with the work of God must become corrupt.''

And on occasions when we pay tribute to and acknowledge the sacrifices of those men raised up by the Lord to *establish* and sustain our independence, we must re-dedicate ourselves to protecting and preserving those liberties and the righteous, God-fearing ideals that have been fought and died for by patriots throughout our American history.

In two hundred and twenty-two years, Americans have fought many wars from Valley Forge to the far-flung corners of the earth. From the bloody beaches of Normandy to the island by island war in the Pacific, to the frozen mountains of the Chosin Reservoir, millions of young Americans have given their lives for the freedoms vouchsafed by our divinely-inspired Constitution . . . for this nation under God.

In all of these wars fought on the field of battle, our enemies were definable. They wore uniforms. They fought with bayonets, grenades, rifles, cannons, mortars. A far more insidious enemy faces us today and we must prepare our youth for a more hard-fought battle for survival than we have ever known!

Girded up in the Armor of Truth and Knowledge and in the strength of our families, our youth will not be fighting in trenches, foxholes or storming beaches. The enemy is amongst us and not in uniform. His weapons are the media, new age philosophies designed to deceive and destroy the moral character of our youth. Perversion, disguised as tolerance.

Their battlefield will be the city halls, the county courthouses, state legislatures and the Congress. They must be prepared and we must prepare them that they may hold high, *with new resolve,* the Title of Liberty in memory of our God, our religion and freedom and our peace and our wives and children.

In Patrick Henry's words: ''The enemy is in the field. Why stand we here idle?''

May God bless us all with continued freedom. May God bless our youth with the strength and resolve to bear the burden our complacency has placed upon them.

And may God continue to bless America.

TRIBUTE TO WTOP'S 30TH ANNIVERSARY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Ms. NORTON. Mr. Speaker, I ask the House to join me in recognizing WTOP Radio, our local and regional news station. WTOP is celebrating its 30th anniversary today, Tuesday March 9, 1999. I am sure the Members of the House and Senate listen to and are informed by WTOP. The station has been a prime source of information of news events and a pioneer in all-news radio.

Without fail, WTOP usually gets there before we do and before anyone else does. From the mundane news of traffic and weather, to breaking news in the nation and around the world, WTOP is there for Washington, the region, and Members of the House and Senate.

Mr. Speaker, I also must say a special word of tribute to Dave McConnell, who has been with WTOP for 34 years, even before it was an all-news station. Dave is one of the best reporters in any of the media in Washington. His amazing dexterity and extraordinary range have made him a one-man class reporter and commentator capable of speaking to any and every subject. Members listen to Dave's Today On the Hill broadcasts to find out what is really happening in Congress! Dave McConnell is only one of the best of an extraordinary group of first rate radio journalists at WTOP who keep the nation's capital truly informed. I

ask the House to join me in expressing our gratitude to WTOP for the indispensable service the station performs as well as our congratulations for 30 years of a job very well done.

WALNUT GROVE RETIREMENT COMMUNITY CELEBRATES ITS 10TH ANNIVERSARY

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. WELLER. Mr. Speaker, I rise today to honor the Walnut Grove Retirement Community which is celebrating its 10th anniversary of outstanding service to the elderly community of Grundy County.

On March 7, 1989, the Walnut Grove Healthcare Center opened with 97 beds available to seniors. Four years later, in 1993, Grundy County experienced a need for more beds for the elderly. Walnut Grove applied for and completed the Certificate of Need process in order to add more beds and better serve Grundy County senior citizens. This process resulted in the increase of licensed beds from 97 to 123.

On January 10, 1994, a ground-breaking ceremony was held for these 24 private suite sheltered care units. This addition is known as the Walnut Grove Villa. As these Villas have established a fine reputation, a waiting list of applicants wanting to reside in them usually exists.

In addition to the Healthcare Center and the Villa, there are duplexes included in the retirement community. These 24 cottages house 30 elderly residents for independent living.

Walnut Grove's provision of care is sensational. The rehabilitation program of Walnut Grove is Medicare certified. Furthermore, there are always special events on the holidays, along with various outing and recreational events.

Mr. Speaker, I find it appropriate that the Walnut Grove Retirement Community be given praise for its 10 years of existence. May the service Walnut Grove has provided to the people of the 11th District and the elderly community of Grundy County continue as we move into the 21st Century.

CONGRATULATING MATTHEW JENDIAN AND ARMEN DEVEJIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. RADANOVICH. Mr. Speaker, I rise to congratulate Matthew Jendian and Armen Devejian upon their ordination to rank of deacon for St. Paul Armenian Apostolic Church. The rank of deacon requires much effort and discipline; the responsibility is heavy, and the standards are high. Both men have risen to those standards.

Deacon Matthew and Deacon Armen were previously ordained together as sub-deacons in 1991, and have been serving at the Holy Altar for the past 15 years. They served on the executive committee of the St. Paul Armenian Christian Youth Organization (ACYO) Chapter, were co-editors of the ACYO California in 1987, and currently teach the high school Sunday school class.

Deacon Matthew is married to Pamela Manoogian. He teaches at California State University, Fresno in the sociology department, and is campus director of the American Numanics Program. He is currently gathering data on Armenian-Americans in Central California for his Ph.D. dissertation through the University of Southern California. Deacon Matthew enrolled in his father's altar servers class at age nine, later graduated from the St. Nersess Deacons' Training Program, and has been serving at the Holy Altar for 20 years.

Deacon Armen is married to Paula Der Matoian. He is vice president of a construction and development company in Fresno, and is project manager of the New Fresno Convention Center Exhibit Hall which is currently under construction. In 1996, at the age of 26, he became California's youngest licensed architect. During his tenure as ACYO Central Council chairman, from 1994–1996, he helped establish the ACYO Mission Fund, the ACYO Camp Fund, and the Summer Camp ACYO Scholarship Program. Deacon Armen has been serving at the Holy Altar since 1983.

Mr. Speaker, I rise today to congratulate Deacon Matthew and Deacon Armen on their fine accomplishment of spiritual leadership. I urge my colleagues to join me in wishing these men and their families a bright future and continued growth.

PEACE CORPS ACT AUTHORIZATION

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 669) to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes:

Mr. FARR of California. Mr. Chairman, as an original cosponsor of H.R. 669, the Peace Corps reauthorization bill, I was pleased to vote yes on this legislation that will increase the number of Peace Corps volunteers from today's 6,700 to 10,000 over the next four years. To achieve this modest number, H.R. 669 authorizes $270 million for fiscal year 2000.

I do not simply support this bill because I myself was a Peace Corps volunteer. I support this bill because the demand, both internationally and domestically, is real.

In the Caucasus, Central Asia and Africa, burgeoning new democracies are crying out for Peace Corps volunteers. In Central Asia, particularly Uzbekistan and Kazakhstan, health volunteers are especially in need to teach sanitary living skills and show mothers how to better nourish their children with available resources. Programs in Africa chronically need more volunteers, especially in HIV/AIDS prevention and girls' education.

The recently created programs in South Africa and Jordan, having proved themselves successful, need more volunteers to expand current programs to meet country needs. Recently agreements have been reached with China, Bangladesh and Mozambique to begin Peace Corps programs. New volunteers ready to take on not only the usual Peace Corps experiences in a country and culture they are unfamiliar with, but also willing to meet the challenges of being the first Peace Corps volunteers in a country are needed.

As we have learned around the world, the best way to support a democracy is to help development at the local level. The Peace Corps is one of the most effective mechanisms for doing just that.

Unfortunately, natural disasters and humanitarian crises continue at an alarming rate, devastating countries just beginning to prosper. In these instances, the international community is quick to provide assistance to save lives, restore hope, and, in the long run, buttress democracy. The Peace Corps has developed the Crisis Corps to use language and cultural knowledge that Peace Corps volunteers possess to assist in these times of need.

An increase in Peace Corps volunteers will allow Crisis Corps volunteers to be sent for hurricane relief missions in Central America and keep open the possibility of sending volunteers elsewhere should they be needed.

Domestic demand for more Peace Corps volunteers is just as impressive. Last year, 150,000 Americans requested information about joining Peace Corps. This is an increase of approximately 40% over the last four years. In the same time frame, Peace Corps has been able to support only a 2% increase in the number of volunteers (this with a 13% decrease in headquarters staffing since 1993, and a 14% drop in support costs per volunteer from FY93 to FY98).

Americans, young and old, single and married, would like to serve their country, humanity and democracy. This is an asset we should not let go to waste. It is my sincere hope that H.R. 669 is signed into law, allowing more Americans the opportunity to participate in the Peace Corps, the hardest job they will ever love

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2441–S2464

Measures Introduced: Five bills were introduced, as follows: S. 567–571. **Page S2455**

Education Flexibility Partnership Act: Senate continued consideration of S. 280, to provide for education flexibility partnerships, taking action on the following amendments/motions: **Pages S2459–64**

Pending:

Jeffords Amendment No. 31, in the nature of a substitute. **Pages S2459–64**

Bingaman Amendment No. 35 (to Amendment No. 31), to provide for a national school dropout prevention program. **Page S2459**

Lott (for Jeffords) Modified Amendment No. 37 (to Amendment No. 35), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act. **Page S2459**

Gramm (for Allard) Amendment No. 40 (to the language in the bill proposed to be stricken by Amendment No. 31), to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies. **Page S2459**

Jeffords Amendment No. 55 (to Amendment No. 40), to require local educational agencies to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act. **Page S2459**

Kennedy/Daschle motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions with instructions to report back forthwith with the following amendment: Kennedy (for Murray/Kennedy) Amendment No. 56, to reduce class size. **Page S2459**

Lott (for Jeffords) Amendment No. 58 (to the instructions of the motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act. **Page S2459**

Lott (for Jeffords) Amendment No. 59 (to Amendment No. 58), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act. **Page S2459**

During consideration of this bill today, the Senate took the following action:

By 55 yeas to 39 nays (Vote No. 35), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on Jeffords Amendment No. 31, in the nature of a substitute. **Page S2464**

A second motion was entered to close further debate on Lott (for Jeffords) Modified Amendment No. 37 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion could occur on Thursday, March 11, 1999. **Page S2464**

A unanimous-consent agreement was reached providing for further consideration of the bill on Wednesday, March 10, 1999, with a vote on the motion to close further debate on the Kennedy/Daschle motion to recommit, with instructions (listed above), to occur at 1 p.m., and immediately following that vote, if not invoked, Senate will vote on a motion to close further debate on Kennedy (for Jeffords) Modified Amendment No. 37 (listed above). **Pages S2459–60**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report of the 1999 Trade Policy Agenda and 1998 annual report on the Trade Agreements Program; referred to the Committee on Finance. (PM–13). **Page S2453**

Transmitting the report of the National Endowment for the Arts for calendar year 1997; referred to the Committee on Labor and Human Resources. (PM–14). **Pages S2453–54**

Messages From the President: **Pages S2453–54**
Measures Placed on Calendar: **Page S2454**
Communications: **Pages S2454–55**
Statements on Introduced Bills: **Pages S2455–57**
Additional Cosponsors: **Pages S2457–58**
Notices of Hearings: **Page S2458**
Authority for Committees: **Page S2458**
Additional Statements: **Pages S2458–59**

Record Votes: One record vote was taken today. (Total—35) **Page S2464**

Adjournment: Senate convened at 10:30 a.m., and adjourned at 3:14 p.m., until 12 noon on Wednesday, March 10, 1999. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2459.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—BUREAU OF RECLAMATION

Committee on Appropriations: Subcommittee on Energy and Water Development concluded hearings on proposed budget estimates for fiscal year 2000 for the Bureau of Reclamation, after receiving testimony from Patricia J. Beneke, Assistant Secretary for Water and Science, Eluid L. Martinez, Commissioner, Bureau of Reclamation, both of the Department of the Interior; and Joseph W. Westphal, Assistant Secretary for Civil Works, Lt. Gen. Joe N. Ballard, Chief of Engineers, and Maj. Gen. Russell L. Fuhrman, Director of Civil Works, all of the Department of the Army Corps of Engineers.

APPROPRIATIONS—DEPARTMENT OF JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies concluded hearings on proposed budget estimates for fiscal year 2000 for the Department of Justice, after receiving testimony from Janet Reno, Attorney General of the United States, Department of Justice.

U.S.-AFGHANISTAN POLICY

Committee on Appropriations: Subcommittee on Foreign Operations held hearings on United States policy toward Afghanistan, focusing on security, refugees, and women, receiving testimony from Karl F. Inderfurth, Assistant Secretary for South Asian Affairs, and Julia V. Taft, Assistant Secretary for Population, Refugees, and Migration Affairs, both of the Department of State; Zohra Rasekh, and Holly Burkhalter, both of Physicians for Human Rights, Boston, Massachusetts; and Mavis Leno, Feminist Majority Foundation, Los Angeles, California.

Hearings recessed subject to call.

U.S. TERRORISM POLICY

Committee on Armed Services: Committee met in closed session to receive a briefing on United States Government policies and programs to combat terrorism from Richard A. Clark, Special Assistant to the President and National Coordinator for Security, Infrastructure Protection and Counterterrorism, National Security Council.

Also, committee concluded hearings to examine United States Government policies and programs to combat terrorism, after receiving testimony from John J. Hamre, Deputy Secretary of Defense; and Gen. Joseph W. Ralston, USAF, Vice Chairman, Joint Chiefs.

INTERNATIONAL MONETARY FUND

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded oversight hearings on International Monetary Fund reform issues, focusing on transparency and accountability, effectiveness, market-based terms for financial support, the Treasury task force, and policy and program design in Brazil, Indonesia, Korea, and Thailand, after receiving testimony from Timothy F. Geithner, Under Secretary of the Treasury for International Affairs; and Patrick A. Mulloy, Assistant Secretary of Commerce for Market Access and Compliance; and Catherine L. Mann, Institute for International Economics, Gerald P. O'Driscoll, Jr., Heritage Foundation, Ian Vasquez, Cato Institute, and Willard A. Workman, U.S. Chamber of Commerce, all of Washington, D.C.

POST ELECTION CAMBODIA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings on issues relating to post election Cambodia, including national reconciliation, democratic development, rival political parties, Khmer Rouge accountability, and U.S. consultation and aid policy, after receiving testimony from Ralph L. Boyce, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; and Sichan Siv, International Republican Institute, and Andrew Wells, Asia Pacific Center for Justice and Peace, both of Washington, D.C.

U.S.-IRAQ POLICY

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs held hearings on the United States' policy toward Iraq, receiving testimony from Beth Jones, Principal Assistant Secretary of State for Near East Affairs.

Hearings recessed subject to the call.

DECEPTIVE MAILINGS

Committee on Governmental Affairs: Permanent Subcommittee on Investigations continued hearings to examine the nature and impact of sweepstakes run by certain major companies, focusing on their increasingly deceptive and aggressive marketing techniques, receiving testimony from Naomi Bernstein, American Family Enterprises, Tampa, Florida; Deborah J. Holland, Publishers Clearing House, Port Washington, New York; Elizabeth Valk Long, Time, Inc., New York, New York; and Peter Davenport, Reader's Digest Association Inc., Marion, Ohio.

Hearings recessed subject to the call.

INTERSTATE ALCOHOL SALES

Committee on the Judiciary: Committee held hearings to examine issues relating to interstate alcohol sales, including labeling, quality control standards, consumer fraud, and access of alcohol by minors, as well

as proposed legislation that will permit the Attorney General of a State to file an action in federal court for an injunction to stop illegal shipment of alcohol, receiving testimony from Representatives Ehrlich, Millender-McDonald, Radanovich, and Thompson; Utah Assistant Attorney General Wayne Klein, Salt Lake City; Stephen Diamond, University of Miami School of Law, Coral Gables, Florida; Brendan Brogan, Ridgewood, New Jersey, on behalf of the Mothers Against Drunk Drivers; John A. DeLuca, Wine Institute, San Francisco, California; and Michael Ballard, Savannah-Chanel Vineyards, Saratoga, California.

Hearings recessed subject to the call.

House of Representatives

Chamber Action

Bills Introduced: 17 public bills, H.R. 1030–1046; 1 private bill, H.R. 1047; and 7 resolutions, H. Con. Res. 45–48, and H. Res. 99, 101–102, were introduced. **Pages H1068–70**

Reports Filed: Reports were filed today as follows:

H.R. 808, to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted, amended (H. Rept. 106–45); and

H. Res. 100, providing for consideration of H.R. 800, to provide for education flexibility partnerships (H. Rept. 106–46). **Page H1068**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Bliley to act as Speaker pro tempore for today. **Page H1021**

Recess: The House recessed at 11:03 a.m. and reconvened at 12 noon. **Page H1025**

Presidential Messages: Read the following messages from the President:

National Endowment for the Arts: Message wherein he transmitted his annual report of the National Endowment for the Arts for fiscal year 1997—referred to the Committee on Education and the Workforce; and **Page H1029**

Trade Agenda and Agreements: Message wherein he transmitted his 1999 Trade Agenda and the 1998 annual report on the Trade Agreements Program—referred to the Committee on Ways and Means. **Pages H1028–29**

Suspensions: The House debated motions to suspend the rules and postponed votes on the following measures until Wednesday, March 10:

Nursing Home Resident Protection Amendments: H.R. 540, to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid Program; **Pages H1029–33**

Bankruptcy Relief Extension for Certain Family Farmers: H.R. 808, amended, to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; **Pages H1033–36**

Expressing Support for Free Elections in Indonesia: H. Res. 32, expressing support for, and calling for actions in support of, free, fair, and transparent elections in Indonesia; and **Pages H1036–41**

Human Rights Abuses in China and Tibet: H. Con. Res. 28, amended, expressing the sense of Congress that the United States should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights. **Pages H1041–48**

Memorial Services for the Late Hon. Harry A. Blackmun: The House agreed to H. Con. Res. 45, providing for the use of the catafalque situated in the crypt beneath the rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable Harry A. Blackmun, former Associate Justice of the Supreme Court of the United States. **Page H1048**

Senate Messages: Messages received from the Senate today appear on page H1021.

Re-Referral: H.R. 809, to provide for reform of the Federal Protective Service, was re-referred to the Committee on Transportation and Infrastructure. **Page H1033**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H1070–74.

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 10:30 a.m. and adjourned at 5:32 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA APPROPRIATION

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, FDA, and Related

Agencies held a hearing on the Food Safety and Inspection Service. Testimony was heard from Catherine Woteki, Under Secretary, Food Safety, USDA.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the Fish and Wildlife Service. Testimony was heard from the following officials of the U.S. Fish and Wildlife Service of the Department of the Interior: Jamie Rappaport Clark, Director; and Gary V. Seccucci, Budget Officer.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Secretary of Education, and on Elementary and Secondary Education, Bilingual Education and Minority Language Affairs. Testimony was heard from the following officials of the Department of Education: Richard W. Riley, Secretary; Judith Johnston, Acting Assistant Secretary, Elementary and Secondary Education; Delia Pompa, Director, Office of Bilingual Education and Minority Languages Affairs.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on Aviation Financing, and on Air Traffic Control Modernization. Testimony was heard from the following officials of GAO: Susan Irving, Budget Issues Group; Susan A. Poling, Associate General Counsel; Gerald Dillingham, Transportation Issues Group; and the following officials of the Department of Transportation: Kenneth M. Mead, Inspector General; Jane F. Garvey, Administrator, FAA; Peter Basso, Jr., Assistant Secretary for Budget and Programs, Chief Financial Officer; and Monte R. Belger, Deputy Administrator, FAA; and public witnesses.

TREASURY-POSTAL SERVICE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on the FEC. Testimony was heard from the following officials of the FEC: Scott E. Thomas, Chairman; Darryl R. Wold, Vice Chairman; and Danny L. McDonald, Commissioner.

MILITARY PRIVATIZATION

Committee on Armed Services: Subcommittee on Military Installations and Facilities held a hearing on the Military Housing Privatization Initiative and the privatization of military utility systems. Testimony was heard from the following officials of the Department of Defense: Randall Yim, Deputy Under Secretary (Installations); Mahlon Apgar, IV. Assistant Secretary, Army (Installations and Environment); Duncan Holaday, Deputy Assistant Secretary, Navy (Installations and Facilities); and Jimmy Dishner, Deputy Assistant Secretary, Air Force (Installations).

LITTORAL WARFARE PROTECTION AND SHIP RECAPITALIZATION

Committee on Armed Services: Subcommittee on Military Procurement held a hearing on littoral warfare protection and ship recapitalization. Testimony was heard from the following officials of the Department of the Navy: Rear Adm. Michael G. Mullen, USN, Director, Surface Warfare Division (N86); Michael Hammes, Deputy Assistant Secretary, Navy, Ship programs (Research, Development and Acquisition); Maj. Gen. Dennis T. Krupp, USMC, Director, Expeditionary Warfare Division (N85), Headquarters, U.S. Marine Corps; Brig. Gen. Jan C. Huly, USMC, Assistant Deputy Chief of Staff, Plans, Policy, and Operations, Headquarters, U.S. Marine Corps; and a public witness.

SCHOOL DISCIPLINE

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families held a hearing on School Discipline: What's Happening in the Classroom. Testimony was heard from public witnesses.

FOREIGN RELATIONS AUTHORIZATION: REFUGEES AND MIGRATION

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Foreign Relations Authorization for fiscal year 2000–2001: Refugees and Migration. Testimony was heard from Julia V. Taft, Assistant Secretary, Bureau of Population, Refugees and Migration, Department of State; and public witnesses.

RESOURCE PROTECTION

Committee on Resources: Held a hearing on the following bills: H.R. 701, Conservation Reinvestment Act of 1999 and H.R. 798, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond. Testimony was heard from Representatives Dingell and Maloney of Connecticut; Jack Caldwell, Secretary, Department of Natural Resources, State of Louisiana; Bernadette Castro, Commissioner, Parks, Recreation and Historic Preservation, State of New York; and public witnesses.

Hearings continue tomorrow.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Committee on Rules: Granted by voice vote a modified closed rule providing for one hour of general debate on H.R. 800, Education Flexibility Partnership Act of 1999, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives clause 4(a) of rule XIII (requiring a three-day layover of the committee report) against consideration of the bill. The rule provides that the amendment process shall not exceed 5 hours. The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute

now printed in the bill as an original bill for the purpose of amendment, which shall be considered as read. The rule makes in order only those amendments printed in the Congressional Record. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or his designee, and each amendment shall be considered as read. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit with or without instructions. Testimony was heard from Chairman Goodling and Representatives Castle Clay, Kildee and Wu.

FIXING THE YEAR 2000 PROBLEM—IMPACT OF LITIGATION

Committee on Science: Subcommittee on Technology and the Subcommittee on Government Management, Information, and Technology of the Committee on Government Reform held a joint hearing on The Impact of Litigation on Fixing the Year 2000 Problem. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Subcommittee on Aviation approved for full Committee action the following bills: H.R. 717, National Parks Air Tour Management Act of 1999; and H.R. 1000, amended, Aviation Investment and Reform Act for the 21st Century.

CHALLENGES CONFRONTING OLDER CHILDREN LEAVING FOSTER CARE

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Challenges Confronting Older Children Leaving Foster Care. Testimony was heard from Carol W. Williams, Associate Commissioner, Children's Bureau, Administration for Children and Families, Department of Health and Human Services; and public witnesses.

INTELLIGENCE SUPPORT TO MILITARY OPERATIONS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Military Operations and the Role and Performance of Intelligence in Desert Fox. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

H.R. 433, to restore the management and personnel authority of the Mayor of the District of Columbia. Signed March 5, 1999. (P.L. 106–1)

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 10, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine crop insurance and risk management strategies, 8 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Legislative Branch, to hold hearings on proposed budget estimates for fiscal year 2000 for the Joint Committee on Taxation, 9:30 a.m., SD–116.

Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2000 for the Navy and Marine Corps programs, 10 a.m., SD–192.

Subcommittee on Transportation, to hold hearings on Amtrak finance and operational issues, 10 a.m., SD–124.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings on the condition of the services' infrastructure and real property maintenance programs for fiscal year 2000, 9:30 a.m., SR–232A.

Subcommittee on SeaPower, to hold hearings to examine strategic and tactical lift requirements versus capabilities, 2:30 p.m., SR–232A.

Subcommittee on Airland, to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense focusing on tactical modernization, and the future years defense program, 2:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: business Meeting to mark up S.303, to amend the Communications Act of 1934 to enhance the ability of direct broadcast satellite and other multichannel video providers to compete effectively with cable television systems, 9:30 a.m., SR–253.

Committee on Finance: to hold hearings to examine spending trends in the Medicare program, the impact on those trends of Medicare savings in the Balanced Budget Act of 1997, and the President's proposed budget request for fiscal year 2000 for Medicare, including the fifteen-percent surplus funding proposal, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings on the current human rights situation in Cuba, 10 a.m., SD–419.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Risk Management, Research, and Specialty Crops, hearing on Review of the Federal Crop Insurance Program, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies, on Farm and Foreign Agriculture Services, USAID, 1 p.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, State, and Judiciary, on the Secretary of State, 10 a.m., 2362 Rayburn, and on The Supreme Court, 2 p.m., H–309 Capitol.

Subcommittee on Defense, on fiscal year 2000 Air Force Budget, 10 a.m., and executive, on the fiscal year 2000 Air Force Acquisition Program, 1:30 p.m., H–140 Capitol.

Subcommittee on Interior, on the Secretary of Agriculture, 10 a.m., and on Forest Service, 11 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Vocational and Adult Education, Special Education and Rehabilitative Services, Educational Research and Improvement, and Howard University, 10 a.m., 2358 Rayburn.

Subcommittee on Military Construction, on Quality of Life, 9:30 a.m., B–300 Rayburn.

Subcommittee on Transportation, on Aviation Safety and Security, 11 a.m., 2358 Rayburn.

Subcommittee on VA, HUD, and Independent Agencies, on Department of Housing and Urban Development, 9:30 a.m. and 1:30 p.m., 2359 Rayburn.

Committee on Armed Services, hearing on the U.S. policy on Iraq, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on pharmacy redesign and TRICARE claims processing, 1 p.m., 2118 Rayburn.

Special Oversight Panel on Morale, Welfare, and Recreation, hearing on morale, welfare and recreation programs and resale activity oversight, 1 p.m., 2212 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, hearing on the Exxon-Mobil merger, 10 a.m., 2123 Rayburn.

Committee on Government Reform, to consider the following: Committee's Budget Views and Estimates for fiscal year 2000 for submission to the Committee on the Budget; a draft report entitled: ''A Citizen's Guide On Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records''; H.R. 807, Federal Reserve Board Portability Act; and H.R. 858, District of Columbia Court Employees Whistleblower Protection Act of 1999, 10 a.m., to be followed by an oversight hearing on Cardiovascular Disease: Is the Federal Government Doing More Harm Than Good? 11 a.m., 2154 Rayburn.

Committee on House Administration, to consider the following: Omnibus Committee Funding Resolution; and other pending business, 12 p.m., 1310 Longworth.

Committee on International Relations, full Committee, to mark up H. Con. Res. 24, expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood, 10 a.m., and to hold a hearing on the U.S. Role in Kosovo, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on the reauthorization of the Independent Counsel Act, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, oversight hearing on putting consequences back into juvenile justice, Federal, State, and local efforts, 10 a.m., 2237 Rayburn.

Committee on Resources, to continue hearings on the following bills: H.R. 701, Conservation Reinvestment Act of 1999 and H.R. 798, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond, 11 a.m., 1324 Longworth.

Task Force on Warner Creek, oversight hearing on Warner Creek Timber Sale, 11 a.m., 1334 Longworth.

Committee on Rules, to consider the following: H. Con. Res. 42, Peacekeeping Operations in Kosovo Resolution; and H.R. 819, Federal Maritime Commission Authorization Act of 1999, 3:30 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Energy and the Environment, oversight hearing on fiscal year 2000 Budget Authorization Request: Department of Energy—Offices of Energy Efficiency and Renewable Energy, Fossil Energy, and Nuclear Energy, Science and Technology, 3 p.m., 2318 Rayburn.

Committee on Small Business, hearing on S. 314, Small Business Year 2000 Readiness Act, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on the following bills: H.R. 700, Airline Passenger Bill of Rights Act of 1999; H.R. 780, Passenger Entitlement and Competition Enhancement Act of 1999; and H.R. 908, Aviation Consumer Right To Know Act of 1999, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to consider Committee's Budget Views and Estimates for fiscal year 2000 for submission to the Committee on the Budget, 3 p.m., 334 Cannon.

Subcommittee on Health, hearing on Veterans Health Administration capital asset planning, 10 a.m., 334 Cannon.

Committee on Ways and Means, to mark up H.R. 975, to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program, 10:30 a.m., followed by a hearing on Revenue Provisions in the Administration's Fiscal Year 2000 Budget, 11:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

12 noon, Wednesday, March 10

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 280, Education Flexibility Partnership Act, with a vote on a motion to close further debate on Kennedy/Daschle motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, to occur at 1 p.m., and immediately following that vote, if not invoked, vote on a motion to close further debate on Lott (for Jeffords) Modified Amendment No. 37.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 10

House Chamber

Program for Wednesday: Consideration of H.R. 800, Education Flexibility Partnership Act (modified open rule, 1 hour of debate) and postponed votes on measures debated on Tuesday.

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