United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, SEPTEMBER 14, 1999 *No. 119*

House of Representatives

The House met at 9 a.m.

MORNING HOUR DEBATES

The SPEAKER. 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 not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes each, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

CHILD HEALTH INSURANCE LEGISLATION

Mr. PALLONE. Mr. Speaker, I am pleased to announce this morning that I will soon be introducing legislation to expand access to health insurance for children.

About 2½ years ago, Congress passed the State Child Health Insurance Program as part of the Balanced Budget Act. That program established a partnership between the States and the Federal Government, with the mission of making health insurance accessible to 5 million of the Nation's estimated 10 million uninsured children. The target population of that program was and remains parents who make too much to qualify for Medicaid but not enough to buy policies in the expensive individual market.

The program has been, by and large, a success. A significant number of children who would otherwise not have health insurance now have that insurance. As successful as that program has been, there is still, though, a considerable way to go. It was, after all, designed to provide insurance for only half of the Nation's uninsured children, and we must not forget the other half.

Mr. Speaker, last week Vice President GORE brought renewed attention to this issue, reminding everyone that the job is not done. In Los Angeles, he announced a plan he will be pursuing to make health insurance available to every child in the country by the year 2005.

I think it is important to note that the Vice President's observation that the State health insurance program needs to be expanded is a view shared by many, if not every State in the country. A number of States have already taken voluntary action to go beyond the terms of their partnership with the Federal Government to make their child health insurance programs accessible to as many children as possible.

In my home State of New Jersey, for example, the income eligibility threshold for participation in the program has been raised from 200 percent to 350 percent of the poverty level. That means in New Jersey a family of four with an income of about $57,500 would be eligible to participate in the program.

The State legislature in New Jersey has also passed a number of bills that would expand access and improve outreach, which has been a significant impediment for signing up eligible children in many of the States.

Mr. Speaker, the Vice President and the States have it right. We must pass a program to cover every child in the country, not just half the children. To that end, I will soon be introducing my own bill to further the momentum created by the States and the Vice President to address this vital national need.

Like the Vice President's plan, my bill will expand the CHIP program to children beyond those in families at 200 percent of the poverty level. It will, however, go a bit further than what the Vice President has proposed. Instead of expanding the program to include those at 250 percent of poverty, my bill will follow New Jersey's example and expand it to families at 350 percent of poverty. States that elect to increase the eligibility level to 350 percent would receive increased Federal funds to help meet the costs.

In addition, my bill will include two provisions to help boost enrollment in the program. The first will provide incentives for States to pass laws by a date certain to authorize hospitals to enroll on the spot eligible children who have been brought into the hospital for care.

The second measure would create an incentive for States to pass laws to facilitate the recruitment of eligible children who are not enrolled in the program. Like the measure in the New Jersey State Senate after which it is modeled, this provision will provide a financial incentive for schools, day care centers, and health clinics to recruit and enroll eligible children in State health insurance programs.

Mr. Speaker, these measures will go a long way towards helping more of the families who the program was intended to help who have so far been overlooked. Time has shown that while the kids program, the kids care program, has been successful, it will not be enough to insure all of America's uninsured children if the Federal Government fails to expand the program.

I look forward to collaborating with the Vice President to fashion a program that achieves our common goals. I hope all of my colleagues will join me in supporting a renewed effort to finish the job we started in 1997 so every family may live with the security of knowing that, at a bare minimum, their children will be taken care of.

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

Printed on recycled paper.

CONGRESS' MOST IMPORTANT TASKS: TO BALANCE THE BUDGET AND PAY DOWN THE DEBT

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

Mr. SMITH of Washington. Mr. Speaker, as I went around my district during the August recess and listened to my constituents about what their primary concerns were, I heard the same statement, the same issue, over and over again in different forms but with the same message. That is that the single most important thing the Congress can do is balance the budget and pay down the debt.

As we head into September and October, the last 2 months of our session, that should be our number one priority. The budget is on the table. It is up for us to negotiate it and figure out what we ought to do with it. But the top priority in that process ought to be balancing the budget and paying down the debt.

We have an incredible opportunity to do this. When we think about where we were 5 or 6 years ago, the fact that deficits were over $200 billion, approaching $300 billion, with projections that they would get as high as $500 billion, running the overall debt up over $7 or $8 trillion, to have us down to the point where we are just this close to balancing the budget is a tremendous accomplishment.

I rise today primarily to urge this body to not snatch defeat from the jaws of victory as we negotiate this issue and all of the issues that have to do with government spending over the course of the next 2 months, let us stick to that goal of making sure that we balance this year's budget and get ourselves in a position to start paying down the debt.

There are a couple of issues that always challenge us on that. I think the biggest one is the so-called surplus. I saw ads on television over the break brought to us from Washington, D.C. talking about how there is a surplus in Washington. I hear this conversation continually.

One of the rules that I think we should pass in this body is to require all Members to accurately state the budget situation before they talk about any subject, any spending program, any tax cut. The budget situation is basically we have a $5 billion debt or deficit for the year, the fiscal year that will end on October 1. In fiscal year 1999 we are looking at a $5 billion deficit.

As I mentioned, that is a significant improvement, but it is still a deficit. All of those surpluses that we are talking about are projected out into the future. So let us not spend them before they actually show up, let us give an accurate picture of where we are at in the budget process, because if we go around telling people that we have some $6 trillion in surpluses, there is going to be momentum built to spend money. I think we need to give an accurate picture of where we are at fiscally.

Paying down the debt is the best thing we can do for this country. It can reduce interest rates, which will help business and individuals alike. All we need is the discipline to do it.

What I am asking in the next couple of months is that we actually do something historic and change the culture of this place. For too long people have looked to Congresspeople, or Congresspeople have thought this, anyway, and thought, the way I please my constituents is by passing out something to them, a program, a check, a tax cut, something. Whereas I think the single best thing that a Member of Congress can give to his or her constituents is a fiscally responsible, efficient government.

Let us make that the standard by which we judge our Members of Congress. Let us not do it program by program, check by check. Let us do it by the overall competence with which we run our government.

I will tell the Members, after having talked to my district and listened to my district for the last 3 years, there is a hunger for that type of leadership in this country. People want a Congress that talks to them straight about the fiscal picture, that performs their job in a responsible and efficient manner, does not simply come along and promise big, grand, high things for all the years to come. They are looking for that efficiency, for that responsibility.

As a Democrat and as a member of the New Democrat Coalition, I want my party, obviously, to be the one that gives it to them. But actually, my biggest hope is that both parties will recognize the desire for that and we will both give it to them, as we head towards the October 1 deadline for the next budget.

We have a great chance to get there. We have a strong economy, high growth, low unemployment, low inflation. We are headed in the right direction. I urge this body and my colleagues to do the work over the course of the next 2 months that gets us there, so we can all go back to our constituents and I think give them the most significant thing that any congressional body has given their delegation in years, and that is a balanced budget and a step towards paying down that huge Federal debt that many of us thought we would never have a chance to pay down.

Let us seize this opportunity and do what is right for the American people: balance the budget and pay down the debt.

THE SENATE GOP'S PROPOSAL FOR A 13-MONTH FISCAL YEAR

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

Mr. MCDERMOTT. Mr. Speaker, there are some times when we pick up the paper and we cannot believe what we are reading. I am looking at the Washington Post. The article is called: GOP Seeks to Ease Crunch With a 13-month Fiscal Year.

I came over to this floor because I want to put my name on record right here and now against this. I will tell the Members why. This is deja vu, for me. I was in the Washington State legislature in 1972 when they did what we call the light bulb snatch. We took the first month of the next year and pulled it into this year and said, now we have 13 months of money to spend in 12 months. That is exactly what some brilliant theorist over in the other body has conceived of as a way of avoiding being honest about this budget.

What happened in the State of Washington was that ultimately we lost our bond rating, and when I became chairman of the Committee on Ways and Means in 1983, I had to raise taxes to pay off this 13-month so we could get our bond rating back. When I read that they are going to do it in the United States Senate, that Republicans, the party of fiscal responsibility, those people who are really close with our money, they want to give it all back to us, are now going to create a fictitious, that is the word they use, ''By creating this fictitious 13th month, the lawmakers would be able to spend $12 to $16 billion more.''

This is Alice in wonder land run by the Republican party. When the Committee on Ways and Means in the year 2001 is in Democratic hand and I am sitting there, I do not want to have to clean up a mess created by people who will not be honest about the budget process.

I just was in my district, like the gentleman from Washington before me. I went to a liberal church talking about violence, and we talked about a variety of things in a forum. I asked them, how many of you want a tax break? Not a single person raised their hand, out of 150 people. They began to talk about it, and what 90 percent of them wanted to do was to pay down the debt. But no, what we see in the Senate is we do not want to be honest about doing what the President said, pay what we need in social security first, then strengthen Medicare, and then deal with whatever else we have to deal with.

I personally think the American people are ready to pay down the debt. They all understand that when they get additional money and their credit card is at $5,000, they do not go out and buy more, they pay down that credit card debt.

We have an enormous debt, and yet what we are doing here is like the county fair. There is a guy there with three walnut shells and a pea, under it

and we move it around real fast and you are supposed to guess where the pea is. What this is is a shell game so that the American people will never understand what is happening here, except for the truth is right here, by creating this fictitious 13th month.

□ 0915

The people who thought it up ought to be ashamed of themselves. I do not know how they can go around and say that they are fiscally conservative and throw rocks at people like me who they call liberals.

I paid one of these off. I did what I had to do to be fiscally responsible. It makes me angry to see people starting down this road and if they lose control in here or lose control in the Senate, then suddenly it will be the Democrats' problem, we will have to fix it. And I object to that, and I object very strongly.

I think every Member ought to read this article and ask themselves do they want to be put in that kind of a box. Because at some point they have to pay it off. That debt is out there, and it has got to be paid; and by increasing it by 12 to $16 billion, we do not fix anything; we just make it worse.

So I urge everyone, Mr. Speaker, to read that article. And I will put this article in the RECORD so that we can have it there and everybody can see it and remember when we decided to start down this stupid path. There is no excuse for this. There can be an honest budget discussion in here, but it is going to require that the majority party talk to the minority party, have conferences, talk about what the issues are.

It can be done, but it is going to have to take both sides working together. And if it does not happen that way and we start down this path, they are on their own. I am against it from the very first day I see it in the paper.

Mr. Speaker, I include for the RECORD the article to which I referred.

[From the Washington Post, Sept. 14, 1999]

GOP CONSIDERS 13-MONTH FISCAL YEAR

(By Eric Pianin)

As they struggle to live within tough restrictions on how much they may spend, Senate Republicans have found another creative way to shoehorn popular domestic programs into next year's budget: declaring the coming fiscal year 13 months long instead of the usual 12.

By creating this fictitious 13th month, lawmakers would be able to spend $12 billion to $16 billion more for labor, health, education and social programs than they otherwise would be permitted under budget rules. Because the additional funds would not be technically released until immediately after the fiscal year ends, they would not count against the overall limits on federal spending next year.

''We all know we engage in a lot of smoke and mirrors,'' said Sen. Arlen Specter (R–Pa.), chairman of the Senate Appropriations subcommittee with jurisdiction over the programs. ''But we have to fund education, NIH, worker safety and other programs. It's a question of how we do it.''

The proposal—which has been embraced by Senate leaders—highlights how difficult it is for congressional Republicans to cut spending and live within tight budgets without resorting to what many experts describe as fiscal gimmickry. With the government awash in surpluses, there is certainly the money to pay for extra programs next year. But to do so would require breaking existing spending limits and, more than likely, dipping into extra money generated by the popular Social Security program—something both parties have pledged not to touch.

As a result, GOP lawmakers have struggled to find ways of spending money without technically breaking those limits. For instance, lawmakers already have classified spending on farms and the 2000 census as ''emergency'' spending not subject to existing rules. All told, lawmakers already have exempted nearly $28 billion in proposed spending next year from the existing budget limits.

The 13th-month gambit promoted by Specter has been used before on a smaller scale, but fiscal experts expressed concern that Congress would simply be putting off its day of reckoning by employing it on so large a scale.

''It avoids the problem, it doesn't solve the problem,'' said Robert Reischauer, former director of the Congressional Budget Office. ''We will have spending caps in 2001 and 2002 as well, so all you've done is postponed and magnified the problem.''

''They're degrading themselves and degrading the budget process by resorting to these budget gimmicks,'' added Robert L. Bixby, policy director of the Concord Coalition, a budget watchdog group.

While it is far from clear whether House Republicans or the White House will go along with the plan, the Senate's so-called ''advance funding'' proposal underscores lawmakers' desperation in trying to pass the largest and traditionally most contentious spending bill without breaking the budget deal that President Clinton and Congress agreed to in 1997.

Spending in the Labor-Health-Education bill includes funding for health and human services programs, the National Institutes of Health (NIH), job training, Head Start for disadvantaged youth and Pell grants for college students. Last year Congress could not come up with a bill that was acceptable to the administration until the last minute, when GOP leaders and the president negotiated a giant package that included nearly $20 billion of additional spending for domestic programs. GOP leaders felt burned by the arrangement and have vowed to avoid such a deal this year.

Not counting mandatory entitlement programs, spending for Labor-Health-Education programs totals roughly $92 billion this fiscal year. For next year, House leaders have essentially used the Labor-HHS bill as a piggy bank to finance other spending bills and have set aside only $73 billion for the bill itself, a cut of roughly $19 billion. Senate leaders have set aside a little more, $80.4 billion, for those programs.

If such reductions were sustained, House Democrats have warned that across-the-board spending cuts of as much as 32 percent would be required on education programs, Head Start, NIH grants, Job Corps, AIDS research and scores of other programs. Republicans and Democrats alike agree that the bill will have to be beefed up substantially—probably to this year's levels—to win passage and the president's signature.

''The bill as it is set up right now falls impossibly short of funding levels that are necessary to ensure even basic services in education, health and labor,'' said Linda Ricci, a spokeswoman for the Office of Management and Budget.

In the House, Majority Whip Tom DeLay (R–Tex.) is leading an effort to try to identify $16 billion or so of offsetting reductions in mandatory programs and other areas to finance the additional Labor-Health-Education programs, but so far he has reported little progress.

Rep. John Edward Porter (R–Ill.), Specter's counterpart on the House Appropriations Committee, has grown frustrated with the process and contends that Congress and the administration must face the reality that the 1997 budget agreement is no longer practical.

''I still believe in the end the caps are going to have to be raised, and the question is whether you do it honestly or whether you put into place all kinds of gimmicks, including emergencies and forward funding and the like,'' Porter said.

But Specter, Senate Appropriations Committee Chairman Ted Stevens (R–Alaska) and other Senate leaders see virtue in a budgetary maneuver that would ensure adequate funding for education and other programs next year and that meets the letter—if not the spirit—of the budget law. Because the non-Social Security budget surplus is supposed to be even larger in the following year, such a move could also make it easier to finance ongoing government programs without dipping into Social Security reserves.

''If the money can be pushed off to expenditures in 2001, that would give us the latitude of using that year's surplus without breaking the caps,'' Specter said.

CAMPAIGN FINANCE REFORM

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

Mr. DOGGETT. Mr. Speaker, today the business of this House will focus on the question of campaign finance reform. It is indeed an important debate because the agenda of this Congress is being set by the special interest contributors that increasingly dominate our elections.

It is the American people who have to foot the bill for those special interests, and they foot it in many ways. Without a vote for genuine campaign finance reform, and that is the Shays-Meehan bipartisan campaign finance bill, which represents the only true reform, if it can be approved today without amendments. Without a vote for genuine campaign finance reform, pharmaceutical companies, who contribute to campaigns will determine whether our seniors ever get access to affordable prescription drugs.

Without a vote for genuine campaign finance reform, insurance companies will determine whether folks in managed care ever get their rights in a true, meaningful patients' bill of rights to hold the insurance companies accountable for their misconduct.

Without a vote for true and effective campaign finance reform, it will be the tobacco companies, who through their contributions determine whether we ever do anything to address the increase in nicotine addiction among our children.

Without an effective campaign finance reform embodied in the Shays-

Meehan bill without amendments, it will be the gun manufacturers through their contributions, who will determine whether we ever address the question of gun violence in our society.

And certainly, as we have seen in this abominable, huge trillion-dollar tax cut proposed by the Republican leadership, unless we get effective campaign finance reform, it will be the special interests here in Washington, who continue to write loopholes for themselves in our Tax Code, designing it as a more and more complex code where the ordinary, hard-working American family has to pick up most of the cost of Government and the special interests manage to avoid paying their fair share.

The debate in this Congress today on this bill will determine on whether or not we really require complete disclosure by the so-called independent campaigns when they are really campaigning with unregulated, undisclosed money for a handful of special interest candidates.

Secondly, it will eliminate the soft money contributions, the unreported, unregulated, unlimited contributions that these same special interests, the pharmaceutical companies, the insurance companies, the tobacco lobbyists dump into these campaigns to tie up the Congress and to control its agenda.

I believe that what we need to do is not just some slight housekeeping amendments, as have been proposed, to thwart the Shays-Meehan bill, but we need a clean sweep of the system.

If the Shays-Meehan bipartisan campaign finance reform has any defect, the defect is that it does too little, not that it does too much. But it does represent an important first step on a bipartisan basis to overcome the deficiencies in our current system, which permit a stranglehold through special interest contributions on the operations of this Congress.

Doris Haddocks, a woman from New England, who has referred to herself as ''Granny D,'' is 89 years old. She began a walk out in California. I believe she has about reached the Mississippi River, walking by herself across America, as an 89-year-old great grandmother, to speak out and draw attention to the need for reforming our campaign finance system and getting so much of this special interest money out of our system.

I would say to my colleagues that she has a better chance, a much better chance, of completing her walk step by step across the wide expanse of America, ''from sea to shining sea;'' she has a much better chance to accomplish that objective than this Congress does to ever escape special interest domination unless we reform our campaign finance system.

We need true, genuine reform. Without that reform, this Congress and its entire agenda will continue to be set largely on the basis of who gave how much to whom.

I believe that campaign finance reform, certainly the modest steps we propose today in the Shays-Meehan bipartisan campaign finance reform, will not correct every wrong in this Congress. But without real, meaningful, comprehensive reform, the American people will continue to be wronged by the special interests that dominate this Congress.

Let us approve bipartisan reform today.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 23 minutes a.m.) the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 10 a.m.

PRAYER

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

O give us peace, O give us hope,
O give us light above.
O God, from whom all blessings flow,
We thank You for your love.
Bring us faith and give us hope,
And keep us always true;
That whatever path we walk,
We walk that path with You. 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.

Mr. DOGGETT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. DOGGETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. UDALL of New Mexico 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.

IMPORTANCE OF MINING INDUSTRY TO AMERICA AND ITS FUTURE

(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, unfortunately, there are some Members of this body that would like to eliminate the American mining industry. However, many of them do not realize how important this industry is to America and to its future.

Without the mining industry, we would not have the system of transportation that enables America to get to work and be productive. In fact, we would not have a refrigerator that preserves and keeps our food cold and would not have a bed to sleep in or even a house to live in, not to mention that the combined direct and indirect economic impact of the Nation's metal mining industry amounts to more than $112 billion per year.

The metal industry paid $523 million directly to State and local governments, $620 million in taxes and fees to the Federal Government, $7 billion to other businesses for supplies and almost $3.5 billion in wages and benefits. By the time this $11.6 billion circulates throughout the economy, the metal mining industry directly had a $112 billion impact on the Nation's economy.

Mining is not just about our quality of life, however, or the hard working families. It is also about the contributions it makes to medical advancements, our schools, neighborhoods, State and local and Federal Governments.

Mining is a partner with government, with communities all across America.

PASSING SHAYS-MEEHAN STRIKES A BLOW FOR DEMOCRATIC PRINCIPLES

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

Mr. UDALL of New Mexico. Mr. Speaker, today we have the opportunity to put democracy back in the hands of the people. Increasingly, the power of the special interests and big money have had their sway in the Congress. Now is the time to let the people's voices be heard. By passing the Shays-Meehan campaign finance reform bill, we will be striking a blow for Democratic principles. Shays-Meehan will restore confidence in our democratic system. It will inject new integrity into the process and it will assure

us a more responsive and vibrant democracy.

Last year, a large bipartisan majority passed Shays-Meehan. We must have the courage to do the same this year. I urge my colleagues, Democrats, Republicans, Independents, to vote for passage of meaningful campaign finance reform.

INTRODUCTION OF A RESOLUTION ON EAST TIMOR

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

Mr. BEREUTER. Mr. Speaker, as chairman of the Subcommittee on Asia and the Pacific, this Member rises to advise his colleagues that he intends to introduce a resolution this afternoon regarding the institution in East Timor. Among its provisions, this resolution notes the abject failure of the government of Indonesia to fulfill its responsibility to guarantee the safety and security of the people of East Timor and calls on the government of Indonesia to terminate the current violence in East Timor.

The resolution also expresses the support of the House for a United Nations Security Council-endorsed multinational force for East Timor which, under duress, President Habibie has agreed to permit.

Australia is willing to lead this force and should be commended and supported. We need to get that force into East Timor now. The United Nations surely knew that some degree of violence would follow the announcement of the election results. It is a tragedy they were so unprepared for the rampage of the militia forces.

Given the human tragedy that has been unfolding in East Timor and the pressing need for the House to speak out for action against the violence and mayhem there, it is the intention of this Member to move this East Timor resolution through the Committee on International Relations and bring it to the House floor as expeditiously as possible.

Therefore, any colleagues who would like to be original cosponsors of this resolution should contact the subcommittee at 67825 this afternoon.

TRIBUTE TO CHICAGO JOURNALIST PHIL WALTERS

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

Mr. RUSH. Mr. Speaker, this morning I rise to pay tribute to the life of a respected journalist, a superb writer and a true Chicagoan. Phil Walters covered the streets of Chicago with his own unique style and in his own brilliant way. He shared Chicago's life and times with millions of television viewers for more than 30 years.

My relationship with Phil began some 30-odd years ago when as a reporter for NBC's Channel 5 he covered me in my work as a civil rights activist. Even then, as a young journalist, Phil's insightful reporting and the passion he brought to telling Chicago stories proved to be award winning. The man and his work will be long remembered and long cherished by Chicagoans for years to come.

Phil Walters passed on Sunday, September 12, 1999, and is survived by his wife Paula Weiss and his son Tyce. Our condolences are with his family and with his friends.

ELIMINATE THE MARRIAGE TAX PENALTY NOW

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

Mr. WELLER. Mr. Speaker. I have often asked from the well of the House a basic question. That is, is it right, is it fair, that married working couples with two incomes pay higher taxes just because they are married? I have often asked, is it fair, is it right, that 21 million married working couples pay $1,400 more on average in higher taxes just because they are married?

Meet Michelle and Shad Hallihan, two Joliett school teachers, young people just starting a family, just had a baby. They suffer the marriage tax penalty just like 21 million other married working couples.

It is an issue of fairness, an issue of difference between right and wrong. The end of July, this House and the Senate voted to eliminate the marriage tax penalty for a majority of those who suffer it, benefiting over 21 million married working couples.

The President has an important choice. Is he going to help families like Michelle and Shad Hallihan, 42 million Americans who suffer the marriage tax penalty, or is he going to practice partisan politics?

I hope the President will join with us in a bipartisan effort to eliminate the marriage tax penalty by signing into law the Financial Freedom Act. Let us eliminate the marriage tax penalty.

ANTI-AMERICAN TRADE AND TAX POLICIES

(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, remember the Singer sewing machines? Most married couples in America had one. Today the Singer Company filed bankruptcy in New York.

The Singer Company is now headquartered in Hong Kong. They make their sewing machines in Japan, Brazil, and Taiwan. It is called the New World Order, Mr. Speaker.

Here is how it works: American factories move overseas. They send their products back and sell them in America. If it does not work out, they go bankrupt and screw the American creditors. What a system.

I yield back all the anti-American trade and tax policies that this Congress continues to support and pass.

KEEP AND MAINTAIN ERISA, THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

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

Mr. KNOLLENBERG. Mr. Speaker, I would like to remind my colleagues of the many benefits of the Employee Retirement Income Security Act of 1974, better known as ERISA. After all, voluntary ERISA-based employer self-insured plans cover nearly 80 percent of the workers in this country.

ERISA retains the State's authority over the business of insurance. It also ensures that plans would be subject to the same benefit laws across the States. ERISA provides flexibility by allowing employers and employees to agree to choose a benefit package which best suits their needs. This approach keeps costs down because it allows them to do so without the government regulation that drives the costs up.

Make no mistake about it, the chief beneficiaries of preempting ERISA would be the trial lawyers. Consumers and employers will be left to pick up the bill for increased and often frivolous litigation.

Mr. Speaker, this Congress must ensure the patient's right to care, not the lawyer's right to bill.

NOW IS THE TIME TO CLEAN UP THE SPECIAL INTEREST MONEY MESS THAT DOMINATES OUR CAMPAIGNS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, today this House has an important opportunity to clean up the special interest money mess that dominates our campaigns. Approval of the bipartisan Shays-Meehan campaign finance reform legislation can go a long way in correcting some of the wrongs that dominate this Congress.

To get real change, however, we must approve this bill without any change. The amendments that are being offered, the substitutes, some of them appear to be direct, straightforward efforts to kill this legislation. Others of them are in seemingly innocuous form but the sole purpose of every amendment, every substitute, is to block reform.

Last year, the Republican leadership, every single Member of the Republican leadership of this House, voted against reform. And they managed to delay consideration of this bill, delay it long enough that they finally succeeded in killing it.

Today we call on them to join with us, to join with leaders on both the Republican and Democratic side, in support to reform, in cleaning up this mess, so that we can move forward to address the real issues that concern the American people.

THE PRESIDENT HAS BEEN MAKING THE CASE FOR THE REPUBLICAN TAX RELIEF BILL FOR MONTHS

(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, a few thoughts on the President and our tax relief bill. If we listen to what the President has been saying, we will see that he has actually been making the case for this tax relief bill for months. The President says he supports seniors. So do we. That is why the Republican tax relief plan walls off and locks away Social Security trust fund monies for America's seniors.

The President says he supports America's farmers and ranchers. So do we. That is why the Republican tax relief bill eliminates the death tax for farmers and for small businesses so that they can pass the family farm or business on to the next generation.

The President says he supports working families. So do we. That is why the Republican tax relief plan reduces the marriage penalty tax.

The President says he is for reducing the Federal debt. So are we. That is why the tax relief bill pays down $2.2 trillion of the public debt. It also encourages savings and investments with other targeted tax cuts.

Mr. Speaker, I urge the President to listen to his own rhetoric, to join the cause in reducing the tax burden, the national debt, on all working Americans. Next year is an election year. Mr. President, this is the year for your opportunity to do something with bipartisan support.

THE BIPARTISAN CAMPAIGN REFORM ACT

(Mr. PASCRELL asked and was given permission to address the House for 1 minute.)

Mr. PASCRELL. Mr. Speaker, today we will be debating a piece of legislation that could more than any other single act put an end to the troubling cynicism of the American electorate, the Bipartisan Campaign Finance Reform Act. In our Nation, the birthplace of modern democracy, our citizens are less likely to vote than any other country in the rest of the industrialized world. While there are other factors that influence this disturbing trend, the perception that our elections are bought and sold rank at the top.

□ 1015

The numbers are staggering. In 1998, over $781 million was contributed to us, we, congressional candidates. In the last presidential election, the Clinton and Dole campaigns spent a combined $232 million. What has this got to do with free speech?

The time has come to restore some sanity to our electoral process. The leadership of the House is again trying to submarine the Shays-Meehan bill by making several poison pill amendments in order. That is why we must take the courageous decision today, Mr. Speaker, and pass the Shays-Meehan bill.

REAL REFORM COMES FROM OBEYING EXISTING LAW

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

Mr. HAYWORTH. Mr. Speaker, to hear my colleagues on the left talk about it in concert with other folks at the other end of Pennsylvania Avenue, it is very interesting to hear all of these calls for campaign finance reform, because, in fact, mindful of these pleas at the other end of Pennsylvania Avenue I would equate them, Mr. Speaker, with Bonnie and Clyde in the midst of their crime spree calling a press conference to call for tougher penalties on bank robbery.

The fact is, Mr. Speaker, real reform first comes by obeying existing law. That is the problem this administration has never come to grips with in a variety of different areas. It would be good to obey existing laws. That is why they are already on the books.

Mr. Speaker, I hope the President enjoyed his round of golf today in the South Pacific. He came here in January and gave a State of the Union message and the next day went to Buffalo, New York and told the American people they could not be trusted with their money, and yet last week, he said he would trust the word of Puerto Rican terrorists and grant them clemency. How curious, Mr. Speaker, when the President of the United States will not trust the American people with their own money and yet trust the word of terrorists.

CAMPAIGN FINANCE REFORM REQUIRES TRUST OF THE PEOPLE IN GOVERNMENT

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

Mr. HOLT. Mr. Speaker, political consultants say campaign finance reform, in their words, does not poll. The opponents of campaign finance reform legislation think that if they prevent or water down this legislation, no one will notice. There will be no price to pay.

There will be a price to pay, Mr. Speaker. We face a crisis of trust in our Government.

America cannot deal successfully with the tough problems that face this legislature, taxes, Social Security, Medicare, unless we have the trust of the people.

The Shays-Meehan legislation on campaign finance reform is a very good and excellent first step in restoring trust in government.

ATTORNEY GENERAL JANET RENO IS RESPONSIBLE FOR WACO

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

Mr. STEARNS. Mr. Speaker, in 1993, the tragedy in Waco, Texas left many unanswered questions for Congress and the American public. One question remains, of course. What happened? Where does the responsibility lie?

In 1993, in April, Attorney General Janet Reno said, quote, ''The buck stops with me,'' end quote. She took responsibility then for the Waco tragedy, but of course, now, it is shifting blame. Where is her responsibility for the information supplied to Congress and the American people?

It was reported in the Washington Times that the Justice Department omitted in its December 1993 report to Congress the one key page of information quote, ''documenting the use of 40 millimeter tear gas project tiles at Waco,'' end quote. Now, it appears the Justice Department is saying they gave this information 2 years later, in 1995.

This latest revelation and other ones that will probably follow are just an indication that the Justice Department is not handling this situation well. There is incompetency in her department, and much of the information provided is not accurate. So I urge my colleagues to look at this question of responsibility and help us to get to the bottom of this matter.

Attorney General Reno should take full responsibility and not try to shift blame.

VOTE FOR SHAYS-MEEHAN AND DEFEAT POISON PILL AMENDMENTS

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

Mr. DAVIS of Florida. Mr. Speaker, we have an opportunity today to take an important step towards returning control of this Congress to the people and away from the special interests that have a disproportionate influence in Congress. This will be the Shays-Meehan bill that we will debate later today that will close two of the most gaping loopholes in our campaign finance system: soft money and sham issue ads.

Let us be clear about what opposition we face today. The leadership of this House has arranged for amendments to be offered that are very innocuous, but will have the effect of depriving the

House of Representatives from voting on Shays-Meehan. This is a disingenuous way to conduct the debate. We need to see through it today.

This is not a Democratic issue or a Republican issue; this is an American issue. Senator MCCAIN is leading the fight in the Senate. We need to come together as Democrats and Republicans today. We need to have an open and honest debate on campaign finance reform and defeat the poison pill amendments that will be offered on the bill.

TAXES TODAY ARE SIMPLY TOO HIGH

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

Mr. BALLENGER. Mr. Speaker, taxes today are simply too high. The average American pays $10,300 every year in taxes to all levels of government. That is more than the cost of food, shelter, and clothing combined. Yet President Clinton continues to reject tax relief for hard-working Americans.

If one is married and paying more in taxes than one should because of the IRS marriage penalty, the President says, tough. If one works hard all of their life to build a business so that one can pass it on to their kids only to fall victim to the death tax, he says, that is too bad.

Along with across-the-board tax cuts for all taxpayers, the Republican Congress wants to provide badly needed relief from the marriage penalty and do away with the death tax. But the President says he will veto that.

Rather than allow taxpayers to keep more of what they earn, he wants them to give more to Washington bureaucrats. By vowing to veto tax cuts, President Clinton is no longer rejecting badly needed tax relief, he is working his back on the hard-working American families.

A VOTE FOR SHAYS-MEEHAN IS A VOTE FOR A STRONGER DEMOCRACY

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

Ms. DELAURO. Mr. Speaker, when the founders created our democracy, they did not foresee soft money. They did not anticipate PACs, they did not know phrases like ''lobbyists,'' ''fund raiser'' and ''issue ad.'' They did not know they would become part of our political vocabulary. But what our forefathers did know was that the strength of our democracy would rest upon the courage of its inheritors. Today that courage is being tested. Mr. Speaker, today we are looking for men and women of mettle to pass meaningful campaign finance reform.

Campaign finance reform presents a very clear choice. Those who vote in favor of Shays-Meehan, which passed this body by a wide margin last year, vote to eliminate soft money from our campaigns. Those who obstruct campaign finance reform and try to attach their poison pills turn their backs on the American people's desire for a political system that is built vote by vote and not dollar by dollar.

This is a bipartisan problem, and it needs a bipartisan solution. Let us make our founders proud; let us support and pass Meehan-Shays, remove soft money from our campaigns, and strengthen our democracy for future generations.

MANAGED CARE REFORM

(Mr. GANSKE asked and was given permission to address the House for 1 minute.)

Mr. GANSKE. Mr. Speaker, I want to clear up an area of misunderstanding that some of my colleagues have, as well as some of the business community has concerning the bipartisan managed care bill.

I recently had a CEO of a major corporation from the Midwest and his lobbyist come into my office and say, if that bill comes law, it would mean the end of ERISA. I said, how so? He said, we would not be able to do a uniform benefits package for our employees across various State lines. I said, you know what? There is nothing in that bill that deals with mandated benefits. Nothing, nada, zero. There would still be ERISA if we passed this law.

Businesses that operate across State lines would still be able to do a uniform benefits package, and they would still be exempt from State mandates. The only thing this bill does in ERISA that is of consequence is that it says that if a health plan makes a medical decision that results in the injury to one of their subscribers that they are responsible for that, just like any insurer in the individual market today already is.

REAL REFORM VERSUS SHOW ME THE MONEY

(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, nine out of 10 Americans support campaign finance reform; nine out of 10.

The simple fact is that the cost of running for federal office today is so great that candidates are forced to devote far too much time and effort to fund-raising, rather than dealing with the issues of importance to their constituents. We can eliminate soft money entirely, rid our society of the pollution caused by sham issue ads, and increase public disclosure of who is paying for what. It is real reform versus show me the money.

This is the crux of the argument today as the House will undertake the serious debate of reforming our system of financing political campaigns. The Shays-Meehan bill is real reform, eliminates soft money, increases disclosure and bans phoney issue ads.

The Republican leadership support the show-me-the-money approach. They argue for more money in the system and less reforms. Real reform versus show me the money. Support Shays-Meehan and show every American that the House supports real reform and not simply more money.

KUDOS TO SPEAKER HASTERT FOR BRINGING SHAYS-MEEHAN TO THE FLOOR

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

Mr. CAMPBELL. Mr. Speaker, we owe a debt of gratitude to the Speaker of the House. There are many who said that this day would never come when we would get to vote on Shays-Meehan. But today, we will get to vote on real campaign finance reform. I was a fighter on the floor here last year for Shays-Meehan, and I will be that again today.

Let us give the Speaker of the House some credit. Remember, under the previous Speaker, we had to have a discharge petition to get this to the floor. This Speaker, by contrast, promised we would have a vote in September. He has kept that promise. And that is why we are here today.

One brief comment further on the merits. I only wish we could do more than Shays-Meehan. But what Shays-Meehan does that is so valuable is to plug two huge loopholes, one might even call them subterfuge, in existing law. The law says, an individual cannot give above $1,000 to a campaign. But the law allows you to give all you have to a political party for soft money, and then the party takes the money and spends it so as to help a candidate. You would not know the difference between the kind of ads they run, and a candidate's own ads.

The other loophole concerns ads that are supposedly on public issues, but turn out to be nothing but campaign ads. They escape the law because they do not use the magic words, ''vote for'' or ''vote against.''

That is what Shays-Meehan does, it plugs two loopholes. I wish we could do more, but it is a great start; and I conclude by complimenting Speaker HASTERT once again for keeping his word and giving us the chance to vote on this today.

A UNITED FRONT BRINGS REFORM

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

Mr. KIND. Mr. Speaker, like the previous speaker, I too want to compliment the Speaker for giving us this opportunity to debate what I feel is the most important issue that we are going

to bring up in this session of Congress, and that is the debate and the votes on meaningful campaign finance reform in order to return some credibility to our political process.

When I was first elected in 1996, the shortcomings of our current system became obvious to me. The tidal wave of money washing around during an election does not elevate political discord and contribute to the debate of ideas. It simply drowns out the voices of those who cannot afford to buy into the process. The big soft money contributions contribute to the perception that special interests have too much influence in the political process. And that perception is correct.

So here we are once again, attempting to right the wrongs of our current system. Drawing from the lessons from the previous session of Congress, the best chance we have for reform is represented by the Shays-Meehan bill. With a united front in the House, we can send a clear message to the Senate today that the time for reform is now.

The citizens of western Wisconsin have told me that our democracy belongs to the people, not to the large money special interests. They do not expect us to take no for an answer on this important issue of reforming the political process. I encourage my colleagues to support Shays-Meehan today and to oppose the ''poison-pill'' amendments and substitutes.

TIME FOR ACCOUNTABILITY FOR INTERNATIONAL MONETARY FUND

(Mr. ROYCE asked and was given permission to address the House for 1 minute.)

Mr. ROYCE. Mr. Speaker, in the last Congress, this body at the urging of the administration approved $18 billion in new payments to the International Monetary Fund. At that time, some of us called for reforms to this flawed institution, reforms that would have required real transparency and would have provided greater accountability for the IMF. But at that time, the administration's position was that it was not the time to institute reforms, that it was critical to send the money first, they said, reform it later.

So that is what Congress did, not with my vote; but that is what Congress did. Congress sent a check for $18 billion, only to find out last month that billions of dollars in IMF loans to Russia, the fund's largest borrower over the last 7 years, likely was diverted and laundered through U.S. and other Western banks.

The IMF states that they have no evidence that their money is involved and that they are investigating. Well, it is time that this Congress conducts its own investigation and holds the IMF accountable. Its largest donors, the U.S. taxpayers, deserve no less.

□ 1030

EAST TIMOR CRISIS

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

Ms. MCKINNEY. Mr. Speaker, it is Rwanda all over again. Thousands of people are being murdered in East Timor while the international community dawdles. I applaud the Australian government for volunteering its forces to peacekeeping efforts long before our own country recognized the need for action.

In a brutal takeover of East Timor over 20 years ago sanctioned by the United States, the people of East Timor have been subjected to an ethnic cleansing of one-third of the entire indigenous population. All the while the U.S. and Australian Armed Forces provided training to the very units that are on the rampage right now. Yet again, the U.S. Government has blood on its hands.

We apologize for Rwanda after letting 1 million innocents die. We apologize for Guatemala after condoning the brutal murders of even U.S. citizens. When will we apologize for East Timor, when it is too late?

Mr. Speaker, the time to act is now. The administration should stop dawdling and start packing to save the lives of the innocent East Timor people. What is taking this administration so long to get it right?

CAMPAIGN FINANCE REFORM

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

Ms. BERKLEY. Mr. Speaker, I rise today in support of meaningful campaign finance reform and passage of the Shays-Meehan campaign finance reform bill. This Congress must act to restore public confidence and participation in our electoral system.

Today the House finally takes up this important debate. I urge my colleagues to support Shays-Meehan in its current form. The American public deserves a debate on meaningful reform, not a weak substitute disguised as reform. If we are to maintain public trust in our political process, we have a duty and an obligation to address this issue.

Let us ban soft money and stop the attack ads disguised as issue advocacy soft money pays for. Let us strengthen the Federal Election Commission and give it the teeth it needs to enforce campaign finance laws.

The American people are tired of politicians who talk about reform but do nothing to enact it. Let us show our constituents that this time we mean it. Let us pass this important piece of legislation.

AMENDMENTS AND SUBSTITUTES TO THE SHAYS-MEEHAN BILL WOULD WEAKEN CAMPAIGN FINANCE REFORM

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

Ms. SLAUGHTER. Mr. Speaker, almost every year since I have been in the House we have struggled to try to pass meaningful campaign finance reform, and this year is no different.

Ten poison pill amendments and substitutes have been introduced that are designed to weaken the Shays-Meehan bill. This bill is necessary to cut off the flow of unlimited and often undisclosed money into the Federal election system.

Specifically, the bill closes two primary loopholes through which this money flows into Federal campaigns, soft money and sham issue ads. All of us have received letters and phone calls from constituents who care about this issue and want this system cleaned up.

One of my constituents stated that as long as the fox has full access to the henhouse, he has no plans to repair the hole. So it goes with politicians, he said. He believes the only way campaign finance reform would happen would be to take it out of our hands.

Let us prove him wrong. Congress needs to close these loopholes now to stop the corruption of elections into the 21st century and to restore Americans' faith in their government. Vote yes on Shays-Meehan and no on the poison pill amendments.

TIME TO PASS THE SHAYS-MEEHAN BILL

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

Ms. LEE. Mr. Speaker, I rise to speak in support of Shays-Meehan. This is one of the most important bills that this House will consider and I hope pass. The Nation is watching today. Individuals as well as the faith community, the League of Women Voters, Common Cause, and a host of others in my district and nationwide are committed to good, honest government, government where ordinary citizens could have a chance, through their participation in the political process, to have a voice and not be drowned out by the millions of dollars now available for only the rich.

We have had laws since 1907 and 1947 that forbid soft money from flowing into campaigns. However, the loopholes have been great and we need to close them. The Shays-Meehan bill closes the loopholes by blocking the present flow of unlimited soft money and unregulated contributions to the political parties. Shays-Meehan, our bipartisan bill, also blocks last-minute campaign ads that masquerade as issue ads.

The Nation is watching. Our constituents are watching. It is time to pass the Shays-Meehan bill.

AMERICA NEEDS TO INVEST IN ITS DEFENSE SYSTEMS

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

Mr. CUNNINGHAM. Mr. Speaker, our military cannot fight one MRC, that is regional conflict, today. General Ryan shut down the Air Force that put 1 year of life on every aircraft from Kosovo.

Last week the press reported that the services are being hit with a $5 billion tax, due to a sudden loss of defense budget. We stood in the well on this floor and said that the President's budget was gimmicks.

He said that inflation would stay the same over the next 10 years, and so would fuel prices. They have gone up. Those prices cut $5 billion out of our defense system. The President knew it when he did it and he still did it, and when the Joint Chiefs said they needed $150 billion just to come up to fight two conflicts at the same time, the President said, I will give you a $1 billion offset, which means a net zero.

We need to invest in our defense systems and provide for our men and women the training and assets when we ask them to go into conflict.

NO RETURN TO ANNUAL DEFICITS

(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, just before Congress recessed for the August break, the majority Republicans passed the so-called Financial Freedom Act. I think a more appropriate name for the GOP tax plan should be ''A Return to the Massive Annual Debt,'' or maybe ''The Medicare Elimination Act.''

I think the size of the GOP bill highlights the willingness to neglect the financial security of our Nation. Both Democrats and Republicans want tax cuts. The difference between the two parties is the Democrats want to make sure we save social security and modernize Medicare, including a prescription benefit for our senior citizens, at the same time trying to buy down our national debt, and, to follow my colleague, the gentleman from California, to make sure we modernize our military without adding to the national debt.

The Republican plan is a financial irresponsible scheme which would lead to higher taxes in the future, slow down our economy, and force huge deficits and massive tax increases on our children and grandchildren.

The American people know that the failure to address these issues today will only make the problems greater for the future. Whether we are talking about Medicare, social security, defense, let us not add to our national debt.

THE JOURNAL

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. GREEN of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 360, nays 41, answered ''present'' 1, not voting 31, as follows:

[Roll No. 408]

YEAS—360

Abercrombie	Cook	Granger
Ackerman	Cooksey	Green (TX)
Allen	Cox	Green (WI)
Andrews	Coyne	Greenwood
Armey	Cramer	Hall (OH)
Bachus	Crowley	Hall (TX)
Baker	Cubin	Hansen
Baldacci	Cummings	Hastings (WA)
Baldwin	Cunningham	Hayes
Ballenger	Danner	Hayworth
Barr	Davis (FL)	Herger
Barrett (NE)	Davis (IL)	Hill (IN)
Barrett (WI)	Davis (VA)	Hilleary
Bartlett	Deal	Hinojosa
Barton	DeGette	Hobson
Bass	Delahunt	Hoeffel
Bateman	DeLauro	Hoekstra
Becerra	DeLay	Holden
Bentsen	DeMint	Holt
Bereuter	Deutsch	Hooley
Berkley	Diaz-Balart	Horn
Berman	Dickey	Hostettler
Berry	Dicks	Houghton
Biggert	Dingell	Hoyer
Bilirakis	Dooley	Hulshof
Bishop	Doolittle	Hyde
Blagojevich	Doyle	Inslee
Bliley	Duncan	Isakson
Blumenauer	Dunn	Istook
Blunt	Edwards	Jackson (IL)
Boehlert	Ehlers	Jackson-Lee (TX)
Boehner	Ehrlich	Jenkins
Bonilla	Emerson	John
Bono	Engel	Johnson (CT)
Boswell	Eshoo	Johnson, E. B.
Boucher	Etheridge	Johnson, Sam
Boyd	Evans	Jones (NC)
Brady (PA)	Everett	Kanjorski
Brady (TX)	Ewing	Kasich
Brown (OH)	Farr	Kelly
Bryant	Fletcher	Kennedy
Burr	Foley	Kildee
Buyer	Forbes	Kilpatrick
Callahan	Ford	Kind (WI)
Calvert	Fowler	King (NY)
Camp	Frank (MA)	Kleczka
Campbell	Franks (NJ)	Klink
Canady	Frelinghuysen	Knollenberg
Cannon	Frost	Kolbe
Capps	Gallegly	Kuykendall
Capuano	Ganske	LaFalce
Cardin	Gejdenson	LaHood
Castle	Gekas	Lampson
Chabot	Gilchrest	Lantos
Chambliss	Gillmor	Larson
Chenoweth	Gilman	Latham
Clayton	Gonzalez	LaTourette
Coble	Goode	Lazio
Coburn	Goodlatte	Lee
Collins	Goodling	Levin
Combest	Gordon	Lewis (CA)
Condit	Goss	Lewis (GA)
Conyers	Graham	Lewis (KY)
Linder	Pascrell	Smith (MI)
Lipinski	Pastor	Smith (NJ)
Lofgren	Paul	Smith (TX)
Lowey	Payne	Smith (WA)
Lucas (KY)	Pease	Snyder
Lucas (OK)	Pelosi	Souder
Luther	Peterson (MN)	Spratt
Maloney (CT)	Peterson (PA)	Stabenow
Maloney (NY)	Petri	Stark
Manzullo	Phelps	Stearns
Martinez	Pickering	Stenholm
Mascara	Pitts	Strickland
Matsui	Pombo	Stump
McCarthy (MO)	Pomeroy	Sununu
McCarthy (NY)	Portman	Sweeney
McCollum	Price (NC)	Talent
McCrery	Quinn	Tancredo
McHugh	Radanovich	Tanner
McInnis	Rahall	Tauscher
McIntyre	Regula	Tauzin
McKeon	Reyes	Terry
McKinney	Reynolds	Thomas
McNulty	Rivers	Thornberry
Meek (FL)	Rodriguez	Thune
Meeks (NY)	Roemer	Thurman
Menendez	Rogers	Tiahrt
Metcalf	Rohrabacher	Tierney
Mica	Rothman	Toomey
Millender-McDonald	Roukema	Towns
Miller (FL)	Roybal-Allard	Traficant
Miller, Gary	Royce	Turner
Miller, George	Rush	Udall (CO)
Minge	Ryan (WI)	Upton
Mink	Ryun (KS)	Velazquez
Moakley	Salmon	Vento
Mollohan	Sanchez	Vitter
Moore	Sanders	Walden
Moran (VA)	Sandlin	Walsh
Morella	Sanford	Wamp
Murtha	Sawyer	Watkins
Myrick	Saxton	Watt (NC)
Nadler	Scarborough	Watts (OK)
Napolitano	Schakowsky	Waxman
Neal	Scott	Weiner
Nethercutt	Sensenbrenner	Weldon (FL)
Ney	Sessions	Weldon (PA)
Northup	Shadegg	Wexler
Norwood	Shays	Weygand
Nussle	Sherman	Whitfield
Olver	Sherwood	Wicker
Ortiz	Shimkus	Wilson
Ose	Shows	Wise
Owens	Shuster	Wolf
Oxley	Simpson	Woolsey
Packard	Sisisky	Wu
Pallone	Skeen	Wynn
	Skelton	Young (FL)
	Slaughter	

NAYS—41

Aderholt	Gutknecht	Rangel
Baird	Hefley	Riley
Bilbray	Hill (MT)	Rogan
Borski	Hilliard	Sabo
Clay	Hutchinson	Schaffer
Clyburn	Kucinich	Stupak
Costello	LoBiondo	Taylor (MS)
Crane	Markey	Thompson (CA)
DeFazio	McDermott	Thompson (MS)
Doggett	McGovern	Udall (NM)
Filner	Moran (KS)	Visclosky
Gephardt	Oberstar	Waters
Gibbons	Pickett	Weller
Gutierrez	Ramstad	

ANSWERED ''PRESENT''—1

Carson

NOT VOTING—31

Archer	Hastings (FL)	Obey
Barcia	Hinchey	Porter
Bonior	Hunter	Pryce (OH)
Brown (FL)	Jefferson	Ros-Lehtinen
Burton	Jones (OH)	Serrano
Clement	Kaptur	Shaw
Dixon	Kingston	Spence
Dreier	Largent	Taylor (NC)
English	Leach	Young (AK)
Fattah	McIntosh	
Fossella	Meehan	

□ 1058

Mr. HALL of Texas and Mr. LAZIO changed their vote from ''nay'' to ''yea''.

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on rollcall No. 408, I was unavoidably detained. Had I been present, I would have voted "yes."

APPOINTMENT OF CONFEREES ON H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. PELOSI moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2606 making appropriations for Foreign Operations, Export Financing, and Related Programs for the fiscal year 2000 be instructed to insist on the provisions of the House bill with respect to Indonesia limiting International Military Education and Training to ''expanded military education and training only''.

□ 1100

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to the rule, the gentlewoman from California (Ms. PELOSI) and the gentleman from Alabama (Mr. CALLAHAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

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

Mr. Speaker, it is 11 o'clock a.m. in Washington, D.C. It is nighttime in East Timor; and families there and those who have been evacuated from East Timor are living with the suffering of the past week and longer, much of it perpetrated by the Indonesian military cooperating with the militias in Dili and the rest of East Timor.

The motion to instruct conferees I have offered today moves that the House insist on its position restricting military training to Indonesia to expanded IMET only. The Senate bill contains no such restriction.

Were it within the scope of my motion to instruct to cut off all military training to the Indonesian military, I would do so. But the constraints of the parliamentarian are such on my motion that I cannot.

Just as a matter of explanation, Mr. Speaker, the Department of Defense spends about $50 million a year on independent national military education and training. That is called IMET program.

The program provides a wide range of training to over 125 countries around the world. The training ranges from sending foreign officers to some of our many military schools for extended periods to training in basic military tactics and techniques.

In the past 10 years, with the changes in the world, Congress has insisted that the new programs be developed and carried out which deal with civil military relations and human rights awareness. These programs are called Expanded IMET and now take place in many countries with difficult problems, like Guatemala, El Salvador, and Indonesia. Indonesia receives $550,000 worth of IMET training in 1999 and 400,000 has been requested for 2000.

The purpose of my motion here today is to insist that the restrictions on the limited Expanded IMET only stay in place for the year 2000, FY 2000. As I said, I would prefer to cut all IMET to Indonesia, especially made clear by the recent events there. However, this is not within the scope of the two bills, as I mentioned, as currently drafted.

In fact, the President has suspended all military training and military-to-military contacts for the time being. Ensuring that Expanded IMET restrictions stay in place for all of FY 2000 will make that limitation a matter of law.

I believe it is important to send a strong signal to the Indonesian Government at this time, despite the apparent progress on allowing a United Nations peacekeeping force into East Timor. The horrifying events of the past week have shocked the world. They have indeed challenged the conscience of the world. We know that thousands of people have been killed. The systematic nature of this mayhem where young men, Catholic priests and nuns, and U.N. workers were in fact targeted by the militias speaks volumes about the depths of this problem.

I am indeed grateful that order seems to have been restored in East Timor, but at what cost and how many lives already lost? The terms of reference for the U.N. peacekeeping force are still under negotiation, as is the timing of their deployment. The Indonesian military is sending mixed signals about their willingness to cooperate with the U.N., and we need to keep the pressure on.

The people of East Timor chose independence and democracy, and the consequences have been dire for them. Instead of a democratic spirit prevailing there, violence reigns. No one can say with certainty to what degree the Indonesian military was culpable, but it is increasingly clear that either the military was involved directly in militia activity in East Timor or they failed to confront it.

Keeping the restrictions on Expanded IMET for Indonesia will at least put Congress on record as sending a signal to the Indonesian military that their behavior has been unacceptable. It also will send a signal to our own military that the suspension of the military-to-military contact program should remain in effect indefinitely.

I again want to repeat that I would prefer to go further in my motion today. I believe that all assistance programs for Indonesia should be seriously reviewed. Disbursements to Indonesia under the structural adjustment program to the IMF should be halted, and the international bank loans that go directly to the government should be suspended. These measures are necessary to demonstrate to the Indonesian Government that we will not tolerate the undermining of democracy in East Timor.

Others of my colleagues have motions to this effect, and I hope that they will come to the floor soon. If it had been possible from a parliamentary standpoint, we would have included many of those initiatives in this motion to instruct. But staying with what is within the scope of the two bills, I urge my colleagues to vote to support the motion to instruct conferees on this motion.

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

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

Mr. Speaker, I do not oppose the motion offered by the gentlewoman from California (Ms. PELOSI). I think that she echoes what we did here in the House, and that was to limit the IMET training in Indonesia to expanded military education and training only. This is exactly the reason and the purpose for the Expanded Military Education and Training program, which is to teach military leaders and military people in foreign countries something about human rights, to educate them with the ability to work with a civilian government. If Indonesia ever needed this assistance, it is now.

So I intend to support the motion of the gentlewoman to instruct to insist the Senate keep the language that we inserted in the House in our bill.

Mr. SMITH of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, I rise in strong support of the motion to instruct conferees and just remind Members that I have held hearings in my subcommittee on the U.S. cooperation with the Indonesian military and I find it appalling that we have been training, especially through the JCET program, many of the people, including those who are part of Kopassus, which is an infamous brigade, it is the Red Berets, it is their so-called elite, many of whom have been charged with very serious human rights violations, including the use of torture.

We had Pius Lustrilanang, one of those who was tortured by the Indonesian military, appear at one of our hearings, and he gave riveting testimony of the daily beatings that he endured at the hands of those people.

Where we come in, or where the United States I think has made a very serious error, is that we have trained in sniper training, urban guerilla warfare, and other kinds of assistance to the very people in Kopassus and in other elements of the Indonesian military. And I asked our U.S. officials both in Jakarta, as well as at our hearings, did we keep track of those we trained. There is no list of those that we have trained.

Now there are several of those members who are under indictment. General Prabowo, who was the leader of Kopassus, has been sacked. But there are still very strong remnants of that kind of abusing authority still in place. We are seeing them now operate with impunity in East Timor.

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

Ms. PELOSI. Mr. Speaker, I am very pleased to yield 4 minutes to the very distinguished gentlewoman from New York (Mrs. LOWEY) who has fought this fight over the years for the people of East Timor.

Mrs. LOWEY. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise in support of this motion and urge all of my colleagues to do the right thing for the courageous people of East Timor.

I am outraged at the current events in East Timor, whose people exercised their right to self-determination two weeks ago. Although the threats and intimidation of anti-independence groups ominously hung over their heads, nearly all eligible East Timorese voted for the referendum, with an overwhelming majority choosing independence from Indonesia over autonomy within it.

What should be a time of celebration for the East Timorese is instead a time of great terror. Anti-independence militia groups continue today to burn houses, places of worship, loot businesses and private homes, and brutally murder innocent civilians.

The U.N. Security Council delegation sent to Indonesia has cited strong evidence that the Indonesian military and police are complicit in this rampage. The chief U.N. human rights official has said that there are enough witnesses of the militias' heinous acts that a war crimes tribunal will likely be convened.

East Timorese refugees, still frightened for their lives, tell of planned, systematic massacres of young men and clergy.

We are witnessing a catastrophic violation of human rights. Initially President Habibie resisted international peacekeepers, insisting that the military could bring order to East Timor. Now Indonesia has agreed to the peacekeepers but needs more time to discuss the details. As Habibie hedges and delays, East Timor has run out of time. As Indonesia turns a blind eye, those who advocated a peaceful and democratic transition to independence violently perish.

Until the terror ceases, the United States and international financial institutions should continue the moratorium on aid to Indonesia. Until an international peacekeeping force reclaims East Timor and the Indonesian military leaves, not one iota of military assistance should be sent to Indonesia, not one Indonesian soldier should be trained by U.S. military personnel, not one dollar should prop up those responsible for this massacre.

Let us make clear that we are disgusted by Indonesia's utter disrespect for the tenets of democracy and the sanctity of human life. We have a responsibility to our partners in democracy in East Timor to be the loudest voice, the strongest voice in support of their courageous step towards independence. Let us not stand by as East Timor is destroyed and its people banished and murdered. As we have learned from history, the price of inaction is far too great.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) who has just returned from East Timor.

Mr. MCGOVERN. Mr. Speaker, I rise in support of the motion to instruct conferees.

It is absolutely critical that U.S. and international pressure be maintained and increased on the Government of Indonesia and the Indonesian military. Instructing the conferees on the foreign aid bill to retain the House restrictions on IMET and expand the IMET is one modest but concrete action this House can take.

The U.S. has provided an estimated $148 million in weapons, ammunition, spare parts, and technical support to Indonesia since 1993. However, Indonesia and the U.S. have continued to maintain military training and officer exchange programs.

Those programs, costing about a half a million dollars per year, are now frozen as a result of the suspension of military relations announced last week by President Clinton.

Eighteen Indonesian military officers currently are studying at U.S. military facilities as part of the IMET program. Eleven are in a training program at the Center for Military Relations in Monterey, California. Six are studying English. And one officer is at an American war college.

This House has taken the lead in restricting IMET funding to Indonesia because of the brutal human rights records of its military. Today, more than ever, those restrictions must be extended and expanded.

Mr. Speaker, I was in East Timor at the end of August, just nine days before the referendum on independence. I traveled to Suai and Maliana. I spent a day with the parish priests in Suai, Father Hilario Madeira and Father Francisco Soares. I met with U.N. workers in Maliana. In Dili, I had dinner with Catholic Bishop Carlos Belo.

Every one of these people told me of their faith in the U.N. process, their commitment to vote, and their fears about violent retaliation following the vote. Those fears have now been realized.

Father Hilario and Father Francisco were murdered, shot down in their church as they tried to protect the people inside. Forty-five of the U.N workers in Maliana were massacred. The home of Bishop Belo has been burned to the ground. Thousands have been killed or forcibly removed, their fates unknown.

Dili has been destroyed, burnt to the ground, emptied of its people. And still the Government of Indonesia delays the deployment of international peacekeepers.

All of us in the international community have broken faith with the people of East Timor. They trusted us to protect them as they bravely voted for freedom. We must not fail them again.

I urge my colleagues to support the motion to instruct conferees.

I thank the gentlewoman from California (Ms. PELOSI) for her motion.

□ 1115

Ms. PELOSI. Mr. Speaker, earlier I mentioned other initiatives in Congress, one of them being advanced by the gentleman from Texas (Mr. BENTSEN), a leader on this issue. I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman for yielding me this time and also commend her for offering this motion to instruct. Like her, I wish that it would go a little bit further. I as well as the gentlewoman from California and some others have introduced a bill that would direct representatives to both the IMF and the World Bank to use their voice and vote to oppose any additional funding under the IMF–G7 credit facility that was implemented last year to Indonesia until such time as the President can certify to the Congress that the situation has been peacefully resolved.

There are a number of us on the floor today who in the last year worked very hard for adding capital to the IMF to help follow through with this program to help Indonesia, to help Thailand, to help South Korea, because we believed it was in the best interest of the United States that we contain the Asian currency crisis because of what a large export market it is for us. I find myself very frustrated by the fact that Indonesia has continually failed to follow up to the requirements that the Congress put in, the requirements that the IMF and the World Bank have called

for, and I think the situation in East Timor is the proverbial stick that broke the camel's back. The fact is, this is not a credit that the United States taxpayers should want to underwrite so long as the government and the military are willing to persecute the people of East Timor. And while we have had progress made over the weekend with the tacit inviting of a U.N. peacekeeping force, the fact is the details have not been worked out and the killing still goes on. Newspapers today report that the militias are being housed just across the border. So I think this issue is far from being resolved.

I think it is incumbent upon the Congress, including those of us who believed that U.S. involvement through the IMF–G7 package was the right thing to do, to now put pressure on the Indonesian government through this motion and motions such as those that I have introduced in order to restore some sanity and peace to East Timor and to get the Indonesian government back on the right track. Otherwise, I think the United States should want to have nothing to do with this government. I believe that we should be involved in world affairs and should be involved in the affairs over there, but we should not be involved in such actions as are taking place today.

I thank the gentlewoman for offering her motion and ask my colleagues to support it.

Ms. PELOSI. I thank the gentleman for his very fine statement.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY) who has been a champion on this issue in his service in the Congress and before.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I thank the gentlewoman from California for yielding me this time and I want to commend her for the great work she has always done using her position in the committee to follow this issue closely.

In 1996, I traveled to East Timor. I went to Dili, and I saw the spot where hundreds lost their lives in the famous Santa Cruz cemetery massacre. Unfortunately, the tragedy of that massacre is occurring again today as we speak.

In 1996, I met with Nobel peace laureate Bishop Belo in his home. Now that home has been burned down, destroyed, by paramilitaries that are rampant in the region. Even nuns and priests and other religious leaders have been killed over the past week. It is time that we end this violence and take a real stand. The people of East Timor took a courageous stand themselves just a few weeks ago when they voted for independence. We owe them, these people desperate for freedom and democracy, a chance for peace.

Last week, I introduced legislation to show further support for the Timorese that calls for the suspension of financial and military assistance to Indonesia and a call for peacekeeping troops. Today's motion will ensure that we adhere to similar language that was already included in the Foreign Operations bill that my colleagues in that subcommittee so critically included. Again, we tried to persuade Indonesia with words, but words were not enough. The situation is critical. There is no time to wait. The lives of thousands are in the balance. We need to act. We need to act now. We need to pass this motion and pass it overwhelmingly and send a message to the Indonesian government that we will not abide by the way they are treating the East Timorese people.

Ms. PELOSI. I thank the gentleman for his fine statement.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the very distinguished ranking member of the full Committee on Appropriations who fought this fight long before many of us were even in Congress or on this committee.

Mr. OBEY. Mr. Speaker, I strongly support this motion and will vote for it, but I want to take this time to discuss my broader concerns about the budget crisis that we face.

As Members know, yesterday the Republican leadership indicated they wanted to solve the problem of our budget caps by providing for a 13-month fiscal year. I want to say today that I enthusiastically support that plan and I urge that the new month be named ''Orwellian.'' The reason I say that is because George Orwell in his famous novel ''1984'' began that novel with the words, ''It was a bright cold day in April and the clocks were striking 13.''

I think there are 10 advantages of a 13-month year as the Republican leadership is suggesting.

First of all, everyone could take 8 percent off their age. Adding 1 month to the year reduces the number of years we have lived by 8 percent.

Second, we could bring back Ronald Reagan as President. By making this retroactive, we could arrange it so that it is 1984 all over again, which is what the Republicans have been trying to do for years. That would be appropriate, because it was with the Reagan budgets that the deficit first exploded and put us where it is today.

Third, it could add 30 more shopping days till Christmas. That would add immeasurably to economic growth, although it could cause the economy to overheat which might cause Alan Greenspan to raise interest rates.

Fourth, it could give every child in America 1 month more of summer vacation. That could add to economic growth in the tourist and resort industries as people have more time to travel.

Fifth, as an alternative we could add 1 month to the work year. That could add to worker productivity and raise economic growth that way.

Sixth, it would help at least two more major league baseball players to join Mark McGwire and Sammy Sosa in breaking Roger Maris' single season home run record because they would have 30 extra days to do it. That would bring millions of additional fans into the Nation's ballparks, and we would have millions more to add to the economic strength of baseball and to the economy in general.

Seventh, it would make all taxpayers happy by delaying tax filing deadlines by 1 month.

Eighth, it could give Republicans 1 extra month to complete their budget, although at the rate they are going, that probably would not make any difference.

Ninth, it could delay the Y2K problem by 1 month if the month is inserted before January.

And, tenth, it could prove that the Middle Age critics of Galileo were correct when they denied his theory that the earth circled the sun once every 12 months. They could thus join the Kansas school board in helping turn back the clock.

I would urge that we support the Republican leadership's proposal. It is the way out of this mess for everyone. And while we are considering that proposal, I hope we get serious and in fact pass the motion to instruct that the gentlewoman is proposing on the East Timor question today. It is a serious issue. We should not be providing military aid to Indonesia under these circumstances.

I thank the gentlewoman for yielding me the time.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK), another champion of democracy. It is no coincidence that Massachusetts comes to this debate so strong with their commitment to promoting democratic values throughout the world.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman for yielding me this time.

That commitment is reinforced by the really quite admirable passion that Portuguese Americans feel as a sense of responsibility towards East Timor which had been a Portuguese colony and it is that which helps energize myself and my colleagues from Massachusetts and Rhode Island.

Two points. First, the Indonesian government should understand what a terrible price they are paying for this massacre. I offered an amendment to this bill in 1996 to cut IMET. I lost on the floor, because Members were not predisposed to be critical of Indonesia. Members felt Indonesia was a potentially valuable friend and ally. I do not criticize Members for changing their position. Events have changed. No one, I think, could have foreseen quite as much brutality as we have seen. Some of us were pessimistic, but the Indonesians managed to exceed even our worst fears. So what they are going to see when they compare the vote of 1996 to what I hope will be an overwhelming vote today is the price they have paid for this butchery, and they should understand that what we are saying is,

they are on a very tenuous probation. No one is writing them off the face of the earth, but the heavy burden now is on the people and government of Indonesia to show that they understand how terribly they have misbehaved and for them to undo this.

Secondly, will the military please, the U.S. military, now stop telling us how these training programs inculcate respect for human rights. If the military has geostrategic reasons for wanting alliances with other militaries, then let us be honest about it. But the argument they give us that when they have relations with brutal and repressive regimes, they are doing it to civilize the military of those regimes, they are doing it to turn the military of those regimes into relative Peace Corps, they do not tell the truth. Indonesia was one of their best examples of how by this relationship they were encouraging a more civilized military, and no military in recent history has behaved in a more brutal and less civilized fashion.

So I hope both of those lessons are taken to heart by a very large vote in favor of the gentlewoman's instruction.

Ms. PELOSI. Mr. Speaker, kings of countries, leaders of tribes and very wealthy people, when they have their birthdays, they give gifts to others. I understand that our distinguished chairman had his birthday over the weekend and I was wondering if the very distinguished chairman would yield 10 minutes to me of his time in observation of his birthday for which we are all very grateful.

Mr. CALLAHAN. Mr. Speaker, since the gentlewoman recognized my birthday, I appreciate that very much, but I might tell her in response to what the gentleman from Wisconsin was talking about earlier on the 13 months. When you reach my age, maybe it is time for us to move to a 13-month year, because my next birthday would therefore be 30 days later. But if we are going to go to the 13 months, I would hope that they would make it in the summer rather than the winter because I do not like cold weather. So if we are going to move in that direction, I would encourage those that will be in charge of that decision to make the extra month maybe between August and September, rather than between, for example, January and February. But I will be happy to agree to the unanimous-consent request of the gentlewoman from California to take 10 minutes of my time, provided we talk about the situation in East Timor and we talk about expanded IMET training. I will be happy to agree to the gentlewoman's request.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the gentlewoman from California (Ms. PELOSI) will control 10 minutes of the time originally allocated to the gentleman from Alabama (Mr. CALLAHAN).

There was no objection.

Ms. PELOSI. Mr. Speaker, I thank the very distinguished gentleman, and I know I speak for every Member in the Chamber in wishing him a very happy birthday.

Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), a champion for democracy all over the world.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the gentlewoman, my colleague from California, for bringing this motion to the floor. She has championed human rights all over the world. I am delighted that she has given us this opportunity to speak out against the atrocities and the brutality that has taken place in East Timor.

Year after year, we are told by the military of this country that they are engaged in training programs with the military of other countries that cause that military establishment in those countries, in this case Indonesia, to respect human rights, to understand the chain of command, to respect civil authority and to benefit us through that relationship. Unfortunately we now see in East Timor just one in a continuation of tragedies where this has turned out to be fiction. It could be no further from the truth. What in fact we see is the involvement of those American-trained soldiers in the massacre, the slaughter and the brutality against their own citizens.

Earlier this year, we debated the School of the Americas where we saw this activity in South America and today now we see it in East Timor. Let us understand something, that the contacts that were supposedly established in East Timor and in Indonesia because of American military training never came about. They never came about because those phone calls were refused, those conversations were not paid attention to, they were not heeded until one thing happened, until the military had taken care of business in East Timor. And by taking care of business, we are talking about the burning and sacking of towns and homes, the destruction of people and the killing of people who voted for and supported the democracy movement, who voted for and supported a vote for freedom that was offered to them by their government.

□ 1130

They have thought it was offered in good faith. It turned out when they voted for freedom, they were then signing a death warrant on themselves. We are told of how systematically, systematically the military and militia with lists of names of people who supported democracy were taken from their homes and killed, in some cases killed in their homes in front of family and the members of the family were killed. This was a systematic extermination of the forces of democracy in East Timor, and we have got to quit kidding ourselves that somehow the continuation of expanded IMET, of IMET training to these forces, is bringing about democracy. It is bringing about a holocaust of people in East Timor.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman for his excellent statement.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. HALL), really the conscience of this Congress.

Mr. HALL of Ohio. Mr. Speaker, I thank the gentlewoman for her great work, and I just appreciate the chance to stand up in support of this motion.

I have been involved with this issue on East Timor since 1980. I remember when I was first on the Committee on Foreign Affairs and we took up the issue of East Timor, had hearings on it; and it is time that we speak together as a Congress and a government. We have not been together on this issue for all of these years. I think this is the time. I am hoping that the Senate will certainly adopt it.

Mr. Speaker, the other thing I wanted to say is that I have read with chagrin some of our officials and our Government saying that really East Timor belongs to Indonesia. The fact is that is not true. East Timor has been independent. Indonesia has been condemned many times in the United Nations, even by our own country relative to the annexation of East Timor when Indonesia moved in after 1975.

This is an important motion, I certainly support it, and I applaud the gentlewoman from California (Ms. PELOSI) who again has shown us what a wonderful Congresswoman she is, and I urge all Members to support this.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA). He lives closest to East Timor, and I am very pleased to yield to him.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman for yielding this time to me, and I do want to thank her for giving me this opportunity for some comments concerning this very important issue, and I do want to wish the gentleman from Alabama a very happy birthday.

Mr. Speaker, the question of East Timor has been something that I have been following for many years. We have held hearings, and I want to thank the gentleman from New Jersey (Mr. SMITH), the chairman of our Subcommittee on International Operations and Human Rights, and despite all of these things, now all of a sudden it seems that East Timor is coming to bear.

The fact of the matter is, Mr. Speaker, East Timor was a former Portuguese colony, and when Portugal left this colony, the Indonesian military came and simply occupied it; and the saddest affair of all, Mr. Speaker, is the fact that 200,000 East Timorese were sacrificed, they were massacred, in 1974 when they took over this portion of the island; and the sad part about it, too, Mr. Speaker, is that we cannot afford

to talk only about East Timor and ignore West Papua New Guinea, because both of these were former. And while I say that East Timor was a former colony of Portugal, but West Papua New Guinea was a former colony of the Dutch, but the Indonesian military simply came over and took over this place and was never recognized by the international community, and it was never recognized by our own country.

For 24 years, Mr. Speaker, this place has been trying over the years in getting the attention not only of our own Nation, but the international community, and finally, finally that we do not have the Cold War any more to contend with, now we are all worried about to say that because Indonesia is the fourth most populous country in the world and the country with the highest population as far as the Muslim religion is concerned; this is all irrelevant, Mr. Speaker. The fact of the matter is that these people, this military, has butchered these people, and it is about time that we do something about this, and I want to commend the gentlewoman from California (Ms. PELOSI) for offering this motion.

Mr. CALLAHAN. Mr. Speaker, I have no further speakers and, therefore, yield back the balance of my time.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON), our distinguished ranking member of the Committee on International Relations.

Mr. GEJDENSON. Mr. Speaker, I will not take up the 2 minutes. I just want to commend the gentlewoman and the gentleman for agreeing on this language. This is a critical moment. There has to be a very clear and direct signal from the United States as there has been from the White House, from United States Congress, that America will not countenance this kind of behavior. The outrageous acts by the Indonesian military and government has to be answered, and I am glad to see the gentlewoman from California leading this effort today.

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

Mr. Speaker, I thank the distinguished ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for his leadership and his statement.

Mr. Speaker, I want to begin my closing by commending the distinguished chairman of the committee for his cooperation on this motion to instruct. It is my understanding that the gentleman will not oppose, and I assume that means he will support the motion to instruct conferees, and for that I am very grateful because I think it is very important that whatever the content of the motion to instruct, that it have unanimous support, and while, as I said earlier, I would have gone further to cut off all military training to the Indonesian military, what is before us is what is allowed by the rules within the scope of the two bills that will be reconciled in conference.

So I look forward to working with the chairman in conference under his leadership on insisting on the House language when, as I anticipate, we carry this motion to instruct today.

In closing I just want to say again why it is so important. Our distinguished colleagues who have spoken here today have spent years toiling on the issue of East Timor. They are concerned because they are champions of human rights throughout the world, and as such East Timor has been an important issue. They have many Portuguese Americans living in their districts, and so, many of them have a heightened awareness, specifically of the sad situation in East Timor. They are aware of East Timor as it has been, and as it existed since the Portuguese left, leaving East Timor an independent country which was then immediately overtaken by the Indonesian military.

In our foreign operations bill over the years we have asked and tried to persuade the Indonesian Government to work with Bishop Belo for a peaceful resolution of the situation in East Timor. As has been mentioned by my colleagues, in the past week Bishop Belo, a Nobel prize winner, a Nobel peace laureate for his work for promoting democratic reform and autonomy or independence, as the case may be—it is now independence in East Timor, self determination in East Timor has had his house burned to the ground. The people who sought sanctuary there had to flee.

Never in the 400-or-so years of recent history of East Timor with all of the occupations that they have endured, including all the time the Japanese occupying that area, never were the religious institutions, establishments, treated in this fashion. My colleagues have gone into the number of people who have died, hundreds of thousands made homeless, hundreds of thousands evacuated in the last 10 days from East Timor. This is a moral blot on the world, as I said earlier, a challenge to the conscience of the world. Hopefully the world will rise to the occasion as we prepare to send in the U.N. troops.

But as we talk about that, the form that this motion takes is to confine the military training of the Indonesian military to expanded in IMET, and I want to spend a moment on that.

We have tried in our committee, those of us who have been working on this issue, to eliminate all military training by the U.S. military of the Indonesian military. Our military has said that we must go in there and train them, and they do not even want to confine it to Expanded IMET. Our military wants to train the Indonesian military. As a compromise we have included language that says if our military they trains them, it has to be on how a military functions in a civilian society and focus on respecting the human rights of people that they are dealing with there.

We have asked the U.S. military over and over for the policy justification for our training of the Indonesian military. None has come forward. What has come forward though is the overwhelmingly enthusiastic support by our military of this training which I think that whether or not, and I believe that the Indonesian military was very, very involved in the massacre that occurred in East Timor, but even for a moment if my colleagues say there is a question about that, that they did not cooperate with the militia. What did they do to stop this massacre?

A price in humanity has been paid in the last 10 days that could have been prevented. I think that I can say without any doubt that the U.S. military training of Indonesian military has been a failure, has been a failure. We fail to see also the policy justification for that military-to-military training.

I have asked and my chairman has very graciously agreed for our committee to have hearings on U.S. military training worldwide. We had that hearing. In advance of that hearing on our bill, we had asked for an accounting of this military training worldwide. We received volumes, but really not volumes of information that was very useful.

So today, surrounding this tragedy maybe at long last we will get enough awareness on the part of the Congress to examine what this program is about.

I call to my colleagues' attention another point, and that is even though this body by its vote forbade the military U.S. training of the Indonesian military except for Expanded IMET, our military went around the intent of Congress and trained the Kopassus under another program. Not IMET, but the JCET program, trained the Kopassus which is guilty of many atrocities in Indonesia and in East Timor. Our weapons were used against the people of East Timor.

So let us do this today. It is a small baby step in the motion to instruct, and hopefully the strong vote that it has will be a vote about confining to expanded IMET, that the conference will agree to that. But in addition to that, we must take a close look at the policy justification for this military-to-military training, and when Congress says it shall not take place or it should only take place under certain circumstances, that our military understand a civilian government as well and that they do not find other ways to go around it.

Since I have served on the Committee on Foreign Operations and on the Permanent Select Committee on Intelligence, I have constantly been called by our CINCPAC the present one, Admiral Blair, his predecessor and that admiral's predecessor to talk about the glories of our training of the Indonesian military. I did not believe it then, and I am absolutely certain that it has not been effective now. Witness what happened in East Timor.

So I am pleased to have the time to bring this motion to the floor. I thank my distinguished chairman for supporting the motion to instruct. I also

thank him for giving us the forum to have the military training hearing that we had and hope now with all of this discussion that it will raise the consciousness of this body to the issue of IMET and military training, JCET, other military training, weapon sales and the military-to-military cooperation.

I want to commend the Clinton administration for its leadership in these past days in getting us to a point where now a U.N. peacekeeping force can go in. I want to commend them for suspending the military-to-military cooperation; but it is important for this body to act, put into law this confining of the military training to human rights activities and the role of a military in a civilian society.

With that, if I have any time left, Mr. Speaker, I would like to set aside 10 seconds, 10 seconds recognizing that we really do not have a 13th month here, 10 seconds of silence on behalf of all the people who have died in East Timor. This should be a grief to every person in the world, and I would ask for that 10 seconds.

Mr. FALEOMAVAEGA. Mr. Speaker, I join my esteemed colleague, Congresswoman PELOSI, on her motion to instruct conferees to maintain the House language on restrictions of IMET military assistance to Indonesia.

Like many of our colleagues, I am greatly disturbed and saddened by the brutal, violent response of the pro-Jakarta militia and Indonesian military to the overwhelming vote for independence demonstrated by the courageous people of East Timor. However, I am not at all surprised at the rampant killings, Mr. Speaker, as the Indonesian military has routinely used violence as a tool of repression.

Although the Timorese struggle for self-determination has received much publicity, Mr. Speaker, scant attention has been paid to the people of West Papua New Guinea who have similarly struggled in Irian Jaya to throw off the yoke of Indonesian colonialism. As in East Timor, Indonesia took West Papua New Guinea by force in 1963. In a pathetic episode, the United Nations in 1969 sanctioned a fraudulent referendum, where only 1,025 delegates handpicked and paid-off by Jakarta were permitted to participate in an independence vote. The rest of the West Papua people, over 800,00 strong, has absolutely no voice in the undemocratic process.

Since Indonesia subjugated West Papua New Guinea, the native Papuan people have suffered under one of the most repressive and unjust systems of colonial occupation in the 20th century. Like in East Timor where 200,000 East Timorese are thought to have died, the Indonesian military has been brutal in Irian Jaya. Reports estimate that between 100,000 to 300,000 West Papuans have died or simply vanished at the hands of the Indonesian military. While we search for justice and peace in East Timor, Mr. Speaker, we should not forget the violent tragedy that continues to play out today in West Papua New Guinea. I would urge our colleagues, our great nation, and the international community to revisit the status of West Papua New Guinea to ensure that justice is also achieved there.

Mr. Speaker, with respect to the events of the past week, the Indonesian Government should be condemned in the strongest terms for allowing untold atrocities to be committed against the innocent, unarmed civilians of East Timor. I commend President Clinton for terminating all assistance to and ties with the Indonesian military. The latest U.N. estimate are that up to 300,000 Timorese, over a third of the population of East Timor, have been displaced and it remains to be seen how many hundreds, if not thousands, have been killed in the mass bloodletting and carnage. A war crimes tribunal, as called for by UNHCR head Mary Robinson, is necessary to punish those responsible for the atrocities.

I further commend the decision of the United Nations to try to maintain its UNAMET operations in Dili, even if only with a skeletal staff. It was absolutely essential that international observers, such as the U.N., not desert East Timor or the likelihood of genocide against the Timorese people would have substantially increased. I am greatly disturbed to learn this morning that the UNAMET compound has been abandoned because of continuing attacks by Indonesian militia and military elements.

As to the issue of a U.N. or international peacekeeping force, I strongly support such an intervention in East Timor and commend Indonesian President Habibie for his decision this weekend to authorize entry. While Australia and New Zealand may take the lead in the formation of such a peacekeeping force, it is crucial that Southeast Asian nations, such as the Philippines, Malaysia, and Thailand, contribute significant troops to the effort, and I applaud the cooperation and commitment of these countries. Jakarta, however, should not be permitted to dictate which countries shall comprise and contribute to the international peacekeeping force.

It is clear the United States must also commit to this peacekeeping effort and not shirk its duty. Besides playing a significant role in supplying airlift capabilities and logistical support, I believe America should also contribute a small, if not symbolic, contingent of ground troops, which could easily be drawn from our substantial forces of U.S. Marines based in Okinawa.

With Indonesia being the fourth largest nation and the largest Muslim country in the world, which sits astride major sealanes of communication and trade—certainly we have substantial national interests in preserving stability in Indonesia and Southeast Asia, as well as preventing a U.N. initiative from turning into a catastrophic humanitarian disaster.

Moreover, Mr. Speaker, I believe that what has happened in East Timor—where the Indonesian military forces played a major role in the horrific violence—holds prophetic ramifications for the future of Indonesia as a whole. In front of the world, President Habibie has been humiliated by the inability to control his own military while Defense Minister General Wiranto's hand in the unfolding events in East Timor is still being questioned. It raises the question as to who is actually in control in Jakarta, and whether a civilian democratic government or military regime holds the reigns of power to Indonesia—now and for the future.

By its simple presence, Mr. Speaker, an international peacekeeping force in East Timor may well lend a hand in stabilizing not just that island but the fragile democracy that ostensibly governs Indonesia.

I thank the gentlewoman for her motion and urge our colleagues to support this important measure.

Mr. NADLER. Mr. Speaker, I rise today in strong support of the Motion to Instruct Conferees and to condemn the violence raging in East Timor. Sadly, on what should have been a joyous occasion, the free and democratic decision of the people of East Timor to become independent, violence erupted, and brought tragedy instead.

The stories we have heard from this region are heartbreaking—homes burned, young people shot and dumped in the sea, massacres by machete. The brutal tactics of anti-independence militias and members of the Indonesian military are truly horrific. Of course, our hearts go out to the people of East Timor for all they have endured. However, our sympathy is not enough. We must take action to ensure that such violence will not continue.

The government in Indonesia has been slow to bring an end to the violence in East Timor. President Habibie has finally agreed to allow an international peacekeeping force to enter East Timor and restore order. However, this alone will not do. Of course, I believe that we must supply humanitarian aid to the region, but we should discontinue our programs of military and economic assistance pending resolution of this crisis. while this motion to instruct conferees would not completely cut off military aid to Indonesia, it is an important first step. we must send a message that such violence is unacceptable and will not be rewarded with continued assistance.

On a personal note my constituent Alan Nairn, a journalist reporting on the situation in East Timor, was captured last night by the Indonesian military police. I have been working hard to ensure his immediate release and am hopeful that he will emerge unharmed.

I have closely monitored the situation in East Timor for years, and have consistently called upon the Administration to take bold steps to protect human rights and support the people of East Timor. I have long urged the United Nations to take an active interest in the plight of the East Timorese. In addition, I have called for International Military Education Training funding to be cut to Indonesia and I have opposed the sale of F–16 fighter planes to that nation on account of its poor human rights record.

The tragedy in East Timor has touched us all. I urge this House and the Clinton Administration to do all that it can to end the hostilities and ease the suffering of those in East Timor.

I urge the adoption of this motion.

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

□ 1145

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

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

Ms. PELOSI. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed until after the disposition of H.R. 1883 under suspension of the rules.

The point of no quorum is considered withdrawn.

IRAN NONPROLIFERATION ACT OF 1999

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1883) to provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology and for other purposes, as amended.

The Clerk read as follows:

H.R. 1883

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Iran Nonproliferation Act of 1999''.

SEC. 2. REPORTS ON PROLIFERATION TO IRAN.

(a) REPORTS.—The President shall, at the times specified in subsection (b), submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report identifying every foreign person with respect to whom there is credible information indicating that that person, on or after January 1, 1999, transferred to Iran—

(1) goods, services, or technology listed on—

(A) the Nuclear Suppliers Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev.3/Part 1, and subsequent revisions) and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev.3/Part 2, and subsequent revisions);

(B) the Missile Technology Control Regime Equipment and Technology Annex of June 11, 1996, and subsequent revisions;

(C) the lists of items and substances relating to biological and chemical weapons the export of which is controlled by the Australia Group;

(D) the Schedule One or Schedule Two list of toxic chemicals and precursors the export of which is controlled pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; or

(E) the Wassenaar Arrangement list of Dual Use Goods and Technologies and Munitions list of July 12, 1996, and subsequent revisions; or

(2) goods, services, or technology not listed on any list identified in paragraph (1) but which nevertheless would be, if they were United States goods, services, or technology, prohibited for export to Iran because of their potential to make a material contribution to the development of nuclear, biological, or chemical weapons, or of ballistic or cruise missile systems.

(b) TIMING OF REPORTS.—The reports under subsection (a) shall be submitted not later than 90 days after the date of the enactment of this Act, not later than 6 months after such date of enactment, and not later than the end of each 6-month period thereafter.

(c) EXCEPTIONS.—Any foreign person who—

(1) was identified in a previous report submitted under subsection (a) on account of a particular transfer, or

(2) has engaged in a transfer on behalf of, or in concert with, the Government of the United States,

is not required to be identified on account of that same transfer in any report submitted thereafter under this section, except to the degree that new information has emerged indicating that the particular transfer may have continued, or been larger, more significant, or different in nature than previously reported under this section.

(d) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, reports submitted under subsection (a), or appropriate parts thereof, may be submitted in classified form.

SEC. 3. APPLICATION OF MEASURES TO CERTAIN FOREIGN PERSONS.

(a) APPLICATION OF MEASURES.—Subject to sections 4 and 5, the President is authorized to apply with respect to each foreign person identified in a report submitted pursuant to section 2(a), for such period of time as he may determine, any or all of the measures described in subsection (b).

(b) DESCRIPTION OF MEASURES.—The measures referred to in subsections (a) are the following:

(1) EXECUTIVE ORDER 12938 PROHIBITIONS.—The measures set forth in subsections (b) and (c) of section 4 of Executive Order 12938 shall be applied with respect to that person.

(2) ARMS EXPORT PROHIBITION.—The United States Government shall not sell to that foreign person any item on the United States Munitions List as in effect on August 8, 1995, and shall terminate sales to that person of any defense articles, defense services, or design and construction services under the Arms Export Control Act.

(3) DUAL USE EXPORT PROHIBITION.—The President shall deny licenses and suspend existing licenses for the transfer to that person of items the export of which is controlled under the Export Administration Act of 1979 or the Export Administration Regulations.

(c) EFFECTIVE DATE OF MEASURES.—Measures applied pursuant to subsection (a) shall be effective with respect to a foreign person no later than—

(1) 90 days after the report identifying the foreign person is submitted, if the report is submitted on or before the date required by section 2(b);

(2) 90 days after the date required by section 2(b) for submitting the report, if the report identifying the foreign person is submitted within 60 days after that date; or

(3) on the date that the report identifying the foreign person is submitted, if that report is submitted more than 60 days after the date required by section 2(b).

(d) PUBLICATION IN FEDERAL REGISTER.—The application of measures to a foreign person pursuant to subsection (a) shall be announced by notice published in the Federal Register.

SEC. 4. PROCEDURES IF MEASURES ARE NOT APPLIED.

(a) REQUIREMENT TO NOTIFY CONGRESS.—Should the President not exercise the authority of section 3(a) to apply any or all of the measures described in section 3(b) with respect to a foreign person identified in a report submitted pursuant to section 2(a), he shall so notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate no later than the effective date under section 3(c) for measures with respect to that person.

(b) WRITTEN JUSTIFICATION.—Any notification submitted by the President under subsection (a) shall include a written justification describing in detail the facts and circumstances relating specifically to the foreign person identified in a report submitted pursuant to section 2(a) that support the President's decision not to exercise the authority of section 3(a) with respect to that person.

(c) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, the notification of the President under subsection (a), and the written justification under subsection (b), or appropriate parts thereof, may be submitted in classified form.

SEC. 5. DETERMINATION EXEMPTING FOREIGN PERSON FROM SECTIONS 3 AND 4.

(a) IN GENERAL.—Sections 3 and 4 shall not apply to a foreign person 15 days after the President reports to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the President has determined, on the basis of information provided by that person, or otherwise obtained by the President, that—

(1) the person did not, on or after January 1, 1999, knowingly transfer to Iran the goods, services, or technology the apparent transfer of which caused that person to be identified in a report submitted pursuant to section 2(a);

(2) the goods, services, or technology the transfer of which caused that person to be identified in a report submitted pursuant to section 2(a) did not materially contribute to Iran's efforts to develop nuclear, biological, or chemical weapons, or ballistic or cruise missile systems;

(3) the person is subject to the primary jurisdiction of a government that is an adherent to one or more relevant nonproliferation regimes, the person was identified in a report submitted pursuant to section 2(a) with respect to a transfer of goods, services, or technology described in section 2(a)(1), and such transfer was made consistent with the guidelines and parameters of all such relevant regimes of which such government is an adherent; or

(4) the government with primary jurisdiction over the person has imposed meaningful penalties on that person on account of the transfer of the goods, services, or technology which caused that person to be identified in a report submitted pursuant to section 2(a).

(b) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, the determination and report of the President under subsection (a), or appropriate parts thereof, may be submitted in classified form.

SEC. 6. RESTRICTION ON EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.

(a) RESTRICTION ON EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.—Notwithstanding any other provision of law, no agency of the United States Government may make extraordinary payments in connection with the International Space Station to the Russian Space Agency, any organization or entity under the jurisdiction or control of the Russian Space Agency, or any other organization, entity, or element of the Government of the Russian Federation, unless, during the fiscal year in which the extraordinary payments in connection with the International Space Station are to be made, the President has made the determination described in subsection (b), and reported such determination to the Committee on International Relations and the Committee on Science of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate.

(b) DETERMINATION REGARDING RUSSIAN COOPERATION IN PREVENTING PROLIFERATION TO

IRAN.—The determination referred to in subsection (a) is a determination by the President that—

(1) it is the policy of the Government of the Russian Federation to oppose the proliferation to Iran of weapons of mass destruction and missile systems capable of delivering such weapons;

(2) the Government of the Russian Federation (including the law enforcement, export promotion, export control, and intelligence agencies of such government) has demonstrated and continues to demonstrate through the implementation of concrete steps a sustained commitment to seek out and prevent the transfer to Iran of goods, services, and technology that could make a material contribution to the development of nuclear, biological, or chemical weapons, or of ballistic or cruise missile systems, including through the imposition of meaningful penalties on persons who make such transfers; and

(3) neither the Russian Space Agency, nor any organization or entity under the jurisdiction or control of the Russian Space Agency, has, during the 1-year period prior to the date of the determination pursuant to this subsection, made transfers to Iran reportable under section 2(a) of this Act (other than transfers with respect to which a determination pursuant to section 5 has been or will be made).

(c) PRIOR NOTIFICATION.—Not less than 5 days before making a determination under subsection (b), the President shall notify the Committee on International Relations and the Committee on Science of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate of his intention to make such determination.

(d) WRITTEN JUSTIFICATION.—A determination of the President under subsection (b) shall include a written justification describing in detail the facts and circumstances supporting the President's conclusion.

(e) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, a determination of the President under subsection (b), a prior notification under subsection (c), and a written justification under subsection (d), or appropriate parts thereof, may be submitted in classified form.

(f) EXCEPTION FOR CREW SAFETY.—

(1) EXCEPTION.—The National Aeronautics and Space Administration may make extraordinary payments that would otherwise be prohibited under this section to the Russian Space Agency or any organization or entity under the jurisdiction or control of the Russian Space Agency if the President has notified the Congress in writing that such payments are necessary to prevent the imminent loss of life by or grievous injury to individuals aboard the International Space Station.

(2) REPORT.—Not later than 30 days after notifying Congress that the National Aeronautics and Space Administration will make extraordinary payments under paragraph (1), the President shall submit to Congress a report describing—

(A) the extent to which the provisions of subsection (b) had been met as of the date of notification; and

(B) the measures that the National Aeronautics and Space Administration is taking to ensure that—

(i) the conditions posing a threat of imminent loss of life by or grievous injury to individuals aboard the International Space Station necessitating the extraordinary payments are not repeated; and

(ii) it is no longer necessary to make extraordinary payments in order to prevent imminent loss of life by or grievous injury to individuals aboard the International Space Station.

(g) SERVICE MODULE EXCEPTION.—(1) The National Aeronautics and Space Administration may make extraordinary payments that would otherwise be prohibited under this section to the Russian Space Agency, any organization or entity under the jurisdiction or control of the Russian Space Agency, or any subcontractor thereof for the construction, testing, preparation, delivery, launch, or maintenance of the Service Module if—

(A) the President has notified Congress at least 5 days before making such payments;

(B) no report has been made under section 2 with respect to an activity of the entity to receive such payment, and the President has no information of any activity that would require such a report; and

(C) the United States will receive goods or services of value to the United States commensurate with the value of the extraordinary payments made.

(2) For purposes of this subsection, the term ''maintenance'' means activities which cannot be performed by the National Aeronautics and Space Administration and which must be performed in order for the Service Module to provide environmental control, life support, and orbital maintenance functions which cannot be performed by an alternative means at the time of payment.

(3) This subsection shall cease to be effective 60 days after a United States propulsion module is in place at the International Space Station.

(h) EXCEPTION.—Notwithstanding subsections (a) and (b), no agency of the United States Government may make extraordinary payments in connection with the International Space Station to any foreign person subject to measures applied pursuant to—

(1) section 3 of this Act; or

(2) section 4 of Executive Order 12938 (November 14, 1994), as amended by Executive Order 13094 (July 28, 1998).

Such payments shall also not be made to any other entity if the agency of the United States Government anticipates that such payments will be passed on to such a foreign person.

SEC. 7. DEFINITIONS.

For purposes of this Act, the following terms have the following meanings:

(1) EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.—The term ''extraordinary payments in connection with the International Space Station'' means payments in cash or in kind made or to be made by the United States Government—

(A) for work on the International Space Station which the Russian Government pledged at any time to provide at its expense; or

(B) for work on the International Space Station, or for the purchase of goods or services relating to human space flight, that are not required to be made under the terms of a contract or other agreement that was in effect on January 1, 1999, as those terms were in effect on such date.

(2) FOREIGN PERSON; PERSON.—The terms ''foreign person'' and ''person'' mean—

(A) a natural person that is an alien;

(B) a corporation, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group, that is organized under the laws of a foreign country or has its principal place of business in a foreign country;

(C) any foreign governmental entity operating as a business enterprise; and

(D) any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).

(3) EXECUTIVE ORDER 12938.—The term ''Executive Order 12938'' means Executive Order 12938 as in effect on January 1, 1999.

(4) ADHERENT TO RELEVANT NONPROLIFERATION REGIME.—A government is an ''adherent'' to a ''relevant nonproliferation regime'' if that government—

(A) is a member of the Nuclear Suppliers Group with respect to a transfer of goods, services, or technology described in section 2(a)(1)(A);

(B) is a member of the Missile Technology Control Regime with respect to a transfer of goods, services, or technology described in section 2(a)(1)(B), or is a party to a binding international agreement with the United States that was in effect on January 1, 1999, to control the transfer of such goods, services, or technology in accordance with the criteria and standards set forth in the Missile Technology Control Regime;

(C) is a member of the Australia Group with respect to a transfer of goods, services, or technology described in section 2(a)(1)(C);

(D) is a party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction with respect to a transfer of goods, services, or technology described in section 2(a)(1)(D); or

(E) is a member of the Wassenaar Arrangement with respect to a transfer of goods, services, or technology described in section 2(a)(1)(E).

(5) ORGANIZATION OR ENTITY UNDER THE JURISDICTION OR CONTROL OF THE RUSSIAN SPACE AGENCY.—(A) The term ''organization or entity under the jurisdiction or control of the Russian Space Agency'' means an organization or entity that—

(i) was made part of the Russian Space Agency upon its establishment on February 25, 1992;

(ii) was transferred to the Russian Space Agency by decree of the Russian Government on July 25, 1994, or May 12, 1998;

(iii) was or is transferred to the Russian Space Agency by decree of the Russian Government at any other time before, on, or after the date of the enactment of this Act; or

(iv) is a joint stock company in which the Russian Space Agency has at any time held controlling interest.

(B) Any organization or entity described in subparagraph (A) shall be deemed to be under the jurisdiction or control of the Russian Space Agency regardless of whether—

(i) such organization or entity, after being part of or transferred to the Russian Space Agency, is removed from or transferred out of the Russian Space Agency; or

(ii) the Russian Space Agency, after holding a controlling interest in such organization or entity, divests its controlling interest.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, today we consider the Iran Nonproliferation Act of 1999, H.R. 1883, which the gentleman from Connecticut (Mr. GEJDENSON), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from California (Mr. BERMAN), and I introduced on May 20 of this year.

This bipartisan legislation currently has almost 230 cosponsors and just last week it was reported unanimously by both our Committee on International Relations and our Committee on Science.

The purpose of our legislation is to reverse the very dangerous situation confronting us today in which firms in Russia, in China, in North Korea and elsewhere are transferring to Iran goods, services, and technology that will assist in the development of weapons of mass destruction and missiles capable of delivering such weapons.

In the hands of a rogue state like Iran, these weapons pose a clear and present danger, not only to our friends and allies in the region but also to the tens of thousands of our military personnel in the Persian Gulf and in adjacent areas.

The proliferation of these technologies to Iran has been going on for a number of years. And to its credit, the administration has worked to try to stop this kind of proliferation, but all available evidence indicates that to date their efforts have failed.

The proliferation is as bad today as it has ever been. With support from key supplier nations, Iran has now started work on a medium- to long-range missile, with a range of 3,000 to 5,000 kilometers. Many analysts believe that the volume and pattern of continued transfers from Russia could not exist without their acquiescence, if not encouragement, of at least some elements in the Russian Government.

The purpose of our legislation is to give the administration new tools in which to address this problem, the countries that are transferring these items to Iran powerful new reasons to stop proliferating, and Congress greater insight into just what is happening.

Our legislation picks up where we left off at the end of the last session of Congress. My colleagues will recall that during the 105th Congress we passed a similar bill entitled the Iran Missile Proliferation Sanctions Act. That measure passed both the House and Senate by overwhelming margins but regrettably was vetoed by the President.

The President pleaded with us not to override his veto assuring us that with more time he would be able to resolve the problem diplomatically, and we bowed to his wishes and decided not to seek an override of that veto.

The verdict is now in on that decision. Clearly, the President overestimated his ability to handle this problem diplomatically; and Congress erred in not forcing a vote on that issue. We have learned from that mistake, and we do not intend to repeat it.

This bill contains many important improvements over the legislation that we passed 2 years ago. It takes into account many of the administration's objections to the prior bill, and it refines our approach to the problem.

Mr. Speaker, this is an important measure that will make a vital contribution to our Nation's efforts to reverse the proliferation of dangerous weapons technology to Iran. Accordingly, I urge my colleagues to support this measure, H.R. 1883.

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

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

Mr. Speaker, I want to join the gentleman from New York (Chairman GILMAN) in supporting this legislation and commending him for his actions. Clearly, there is great frustration here and at the White House over the failure of the Russian Government to get to a point where it can control the proliferation of serious weapons of mass destruction.

We have been hopeful, frankly, that under Prime Minister Stepashin that we would see some progress in Russia. And there have been a number of promises made; but with the rate that the Russian governments have been changing, we have been seeing very little progress in an area that is critical to our national security and many of our allies throughout the world.

Proliferation is an issue not just in Russia. The Chinese Government has proliferated a number of its most critical technologies and this Congress needs to address all of these issues, but today we focus on Russia. And we should have a policy that both engages Russia and provides penalties when they fail to live up to the agreements that we have reached with them.

The Russians have a significant portion of the world's technology of weapons of mass destruction, and there has been leakage of these systems and these technologies to the Iranians.

The United States has been in this kind of situation before. At the end of World War II, America moved into Germany hiring many of the scientists that had worked for the Nazis to prevent them from working for countries who were our adversaries. Today we find ourselves in a similar situation. The talent and the brain power in Russia can be a great opportunity to move us forward in many areas of peaceful uses of these technologies, but they can also provide a great danger. Whether it is fissionable material or rocket technology, the United States has to take every effort possible to make sure that proliferation is halted.

I join with the chairman and many others in this House in offering this legislation, which we hope will send a very strong message to the Russian Government that as difficult as these times are for them, this is an area where they can allow no seepage, where they have to make the effort to stop the loss of these technologies to dangerous countries around the globe.

So I commend the chairman for moving this legislation today.

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

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Committee on Science.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding me this time, and rise in support of this bill, which will assist the administration's efforts to prevent the spread of ballistic missiles and weapons of mass destruction to Iran.

H.R. 1883 contains several provisions that require the administration to report any credible information it receives about the entities transferring technology to Iran.

The bill's teeth, however, are in section 6, over which the Committee on Science has jurisdiction and which the committee unanimously endorsed last week. Section 6 prohibits the administration from transferring any funds to the Russian Government for the International Space Station unless the President determines that it is the policy of the Russian Government to actively oppose proliferation to Iran, that the Russian Government is carrying out that policy, and that the Russian Space Agency and the organizations under its jurisdictions have not transferred technology to Iran.

Some question linking the International Space Station and proliferation arguing that they are separate issues. Using the space program as a nonproliferation tool follows the path the White House laid out in 1993 when it invited Russia into the International Space Station partnership. The White House explicitly linked Russian participation in the Space Station to its goal of discouraging Russia from engaging in proliferation activities, and numerous administration witnesses since then before the Committee on Science and its subcommittees have stated that if Russia proliferates to Iran that is a deal breaker as far as the Space Station goes.

So, H.R. 1883 is consistent with the administration's policies regarding both the Space Station and nonproliferation.

Unfortunately, we have received consistent reports since 1993 that Russia is assisting Iran's efforts to acquire weapons of mass destruction and ballistic missiles. The CIA and the State Department conceded as much in open hearings over the last 2 years.

Faced with such evidence, H.R. 1883 is an appropriate and measured step that Congress can and must take to halt such proliferation. The bill does not change Russia's rights or obligations as a partner in the International Space Station. It does not prohibit NASA from making payments to the Russian Space Agency if the Russian

Government is doing what it promises, namely stopping the flow of technology to Iran. It only prohibits NASA from making such payments if Russia is increasing the threat to our friends, allies, and troops in the Middle East and in Europe.

Congress must not look the other way in the face of proliferation or one day it will come back to haunt us. We must do our part to promote international peace and security. H.R. 1883 is a good first step, and I urge my colleagues to vote in favor of this bill.

Mr. GEJDENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Speaker, I rise in support of H.R. 1883, the Iran Nonproliferation Act of 1999.

I have been a cosponsor of this bill because I feel very strongly about the need to control proliferation of weapons of mass destruction. The end of the Cold War did not mean that we have escaped the threat posed by those who would do harm to us or to our allies in the world. There is a very real threat posed by the proliferation of dangerous weapons technologies into the hand of our enemies. We must do all we can to see that they do not succeed in getting those harmful technologies.

I see H.R. 1883 as one of the ways in which we can help to control proliferation. It sends a strong message to those who would proliferate that the United States will not stand idly by.

This bill is not intended to take away from the efforts currently being made by the administration to control proliferation. Neither is the bill intended to slap in the face those in the Russian Government who are trying to stem proliferation. In fact, I want to note the progress that has been made over the past year by the administration and the Russian Government. There have been positive steps taken. These include the Russian enactment of the federal law of export controls; the Russian adoption as official policy of the Gallucci-Koptev action plan, which is designed to stop all contact between Russian aerospace entities and Iran; the joint Russian-U.S. establishment of export control list; and a number of other substantive actions.

I am encouraged by these initiatives. At the same time, it is important for Congress to signal to those who would proliferate that their actions will have consequences.

I believe that H.R. 1883 sends such a signal. Therefore, I support H.R. 1883, and I urge Members to vote to suspend the rules and pass this important bill.

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BURTON), a member of the committee.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Nebraska (Mr. BEREUTER) for yielding me this time.

Mr. Speaker, we had a hearing not long ago involving some whistleblowers from various agencies of government and one of the people we had testify before our committee was a man named Jonathan Fox. Mr. Fox is a defense security analyst at the Department of Defense; and in October of 1997, he was asked to write a national security assessment about Communist China and about the agreement for cooperation in the peaceful uses of atomic energy between China and the United States.

Now, Mr. Fox was told that he had to have this national security assessment done by October 25, 1997, because the administration wanted to have everything ready before the state visit of Chinese President Jiang Zemin.

The day after Mr. Fox submitted his memo, he was called by a man who was one of his superiors named Michael Jackson.

He said, okay, how bad is it, about his memo, meaning the reaction to his candid memo? And Mr. Jackson answered, you will be lucky if you still have a job by the end of the day.

□ 1200

Fox indicated he did not think Johnson was joking. Johnson told him people were upset by the memo and it had to be revised and say that the agreement was not a threat to national security.

Now, I hope everybody gets this straight. He wrote a national security assessment which said that giving any additional nuclear technology or anything that would help them with their nuclear program would be a threat not only to the United States, but to the allies of the United States as well. And just before President Jiang Zemin came over, he got a call from his superior saying, if you do not change this memo to say that they are not a threat, then you are going to be fired.

Now, Mr. Fox said to one of his colleagues he was so concerned about his job because he had a wife and kids and he had been at the Defense Department for a long time that he did change that national security assessment because of the threat to his employment. He said China was not only a threat to the United States of America, but to our allies as well. And because President Jiang Zemin was coming over to meet with President Clinton, he got orders from above to tell him to change that national security assessment 180 degrees to say that China was no threat, or he might lose his job.

Now, I think everybody in this country ought to be concerned about that. If an expert at the Defense Department says there is a national security threat to this country if we continue to give nuclear technology to Communist China and he is ordered by the White House to change that or somebody above him, and the guy said it was high above my pay grade that this order came from, indicating it was way up the chain of command, if people are being told to change national security assessments that threaten our national security, then somebody ought to be hung out to dry.

I came down here today to talk about this because we really do need to impose economic sanctions on those who are proliferating nuclear weapons because it is a threat to everybody in the world; but in particular, we ought to really be going after Communist China because they have been giving nuclear technology that those countries can use, to Iran and to North Korea, and to others; and they are a threat to the security of the United States and to our allies, as Mr. Fox has stated.

I think it is reprehensible that somebody above Mr. Fox's pay grade, and they said it was way above his pay grade, ordered them to change his national security assessment simply because President Jiang Zemin from Communist China was coming over to meet with the President of the United States and they wanted everything to be cool, everything to be on an even keel. It is unbelievable this happened.

This was brought out before my committee, and none of the national media reported it, and I thought it was a shame that they did not. I called ABC, NBC, CBS, and CNN; and I said why would you not think this was a major story, because a national security assessment was made regarding the security of America and our allies and whether or not China was selling nuclear weapons to potential enemies, and they told him that if he did not change it 180 degrees to where it looked like they were not a nuclear proliferator and there was no threat to America, he was going to lose his job, and not one of the networks picked that up. All I can say is shame on them. Shame on them. The American people need to know the truth. At least they got this much of it today.

[From the Committee on Government Reform]

JONATHAN FOX ARMS CONTROL SPECIALIST
DEPARTMENT OF DEFENSE

PROFESSIONAL BACKGROUND

Fox is an Arms Control Specialist in the Defense Threat Reduction Agency (formerly known as Defense Technology Security Agency). Fox's wife also works at the agency as a photographer. Fox fears both he and his wife will be retaliated against for speaking to Congress.

FOX'S CONCERNS

In October 1997, Fox was asked to write a memo regarding the implementation of a 1985 ''Agreement for Cooperation in the Peaceful Uses of Atomic Energy'' between China and the U.S. The terms of the reciprocal agreement allowed annual opportunities between the U.S. and China to:

Send technical experts to each others' civil reactor sites; observe operations and reactor fueling; exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and disclose detailed reactor site operational data, to include energy generated and loading.

In his initial memo, Fox concluded that count ''this assessment concludes that the proposed arrangement presents real and substantial risk to the common defense and security of both the United States and allied

countries.'' Fox pointed out that Chinese past practices as a proliferant presented considerable risks to national security.

Fox said he was told that the memo had to be done by October 25, 1997 because the Administration wanted to have everything ready before the state visit of Jiang Zemin.

The day after Fox submitted the memo, he was called by Michael Johnson. When Fox asked him ''OK how bad is it?'' [meaning the reaction to his candid memo], Johnson answered: ''You'll be lucky if you still have a job by the end of the day.'' Fox indicated he didn't think Johnson was joking. Johnson told him people were upset by the memo and it had to be revised and say that the agreement is not inimical to U.S. national security. Fox said he told Johnson that everything in the memo was true and Johnson responded, ''I know, but that doesn't matter the issue has already been decided far above our pay grade.'' Johnson said the changes had to be made by 11:30 a.m. that morning. Fox said Johnson also said if he didn't change the opinion, he would have to explain to his Director why a GS–14 was blocking a Presidential summit.

Fox returned to his meeting and discussed the matter with his colleagues (including Peter Leitner). They told him it was a done deal and there was no point in him falling on his sword and fighting this.

Fox called Johnson back to ask what would make him happy and Johnson sent over the revisions that Fox then had a secretary incorporate. Johnson told him to have someone else sign the memo because it would look too obvious if he signed it after having done a memo that was initially so different. The memo was signed out by his boss, who signed it to help him out of a difficult situation.

RETALIATION AND/OR INTIMIDATION

When these matters became subject of an investigation by the Senate Governmental Affairs Committee, Fox spoke with Senate investigators and believes he has been blacklisted since then for telling the truth. He was in line to get a position in DTRA which came to a stop allegedly when David Tarbell heard ''things'' about Fox.

JONATHAN D. FOX, ARMS CONTROL SPECIALIST, DEFENSE THREAT REDUCTION AGENCY

I. PROFESSIONAL BACKGROUND

Jonathan Fox is currently an Arms Control Specialist at the Defense Threat Reduction Agency (''DTRA'') at the Department of Defense (formerly known as the Defense Technology Security Agency or ''DTSA''). A lawyer, he was hired by the Department of Defense in 1990, and in 1993 he was detailed to handle counter proliferation duties. In 1997 he was the export control coordinator. He was relieved of those duties in October of 1998 and transferred back to arms control.

He has received ''Outstanding'' ratings in every category of job performance for the last three evaluations given (1995, 1996 and 1997). Cash bonuses for his job performance have also been recommended. He has not, however, received an evaluation since concerns over retaliation have arisen.

II. FOX'S CONCERNS

In late October of 1997, Fox received an urgent request to review a proposed state-to-state agreement regarding transfer of nuclear technologies from the United States to China. Fox was asked to write an analysis regarding implementation of a 1985 ''Agreement for Cooperation in the Peaceful Uses of Atomic Energy'' between China and the United States. The terms of this proposed reciprocal agreement allowed annual opportunities for China and the U.S. to:

Send technical experts to each others' civil reactor sites; Observe operations and reactor fueling; Exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; Exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and Disclose detailed reactor site operational data, to include energy generated and loaded.

The request came from Mike Johnson, the Deputy Director of Nonproliferation Policy in the Office of Threat Reduction Policy.[1] Fox was told that he had to complete his review by Friday, October 25, 1999. Fox also believes that the document indicated that the deadline was tied to the arrival of Chinese President Jemin that weekend.

On Thursday, October 24, 1997, Fox sent Johnson a fax of his analysis. The document was transmitted at about 8:30 or 9:00 p.m. Fox stated:

''This assessment concludes that the proposed arrangement presents real and substantial risk to the common defense and security of both the United States and allied countries. It is further found that the contemplated action can result in a significant increase of the risk of nuclear weapons technology proliferation. This assessment similarly concludes that the environment surrounding these exchange measures cannot guarantee timely warnings of willful diversion of otherwise confidential information to non-nuclear states for nuclear weapons development. Concurrently, the agreement, as presented, cannot ensure that whatever is provided under this reciprocal arrangement will be utilized solely for intended peaceful purposes.''

* * * * *

''[U]nless there exist definite, meaningful verification provisions engrafted upon this diplomatic agreement, there is no practicable way of determining or enforcing adherence to the admittedly peaceful goals enumerated within the proposed reciprocal agreement. Without such bilateral undertakings or unilateral safeguards, the proposed measure presents such significant degree of risk as to be clearly inimical to the common defense and security.''

He thought that his analysis might raise concerns, but he felt that he had to be honest.

The next morning, while on his way to a meeting at the State Department, he checked his messages and found that Michael Johnson had called at approximately 8:30–8:45 a.m. He got a beeper notification that Johnson had called and was told that it was urgent. He called from State and couldn't get through. He left his number at the meeting and was pulled out of the meeting at 9:30–9:45 a.m. He was told it was Johnson, and that it was urgent.

Fox began the conversation by asking ''Okay, how bad is it?'' Johnson responded ''You'll be lucky if you still have a job at the end of the day.'' Fox said Johnson did not sound like he was joking. Fox asked what the problem was and Johnson said: ''It's your opinion. People read it. This has got to be revised. It cannot go.''

Fox said that the analysis was true. Johnson said: ''Yes. It's well written. Too well written. It doesn't matter. The matter has already been decided far above us.'' Johnson did not elaborate, but Fox got the impression that the decision had been made above Johnson and that Johnson was under the gun. [DoD brought Michael Johnson before Committee investigators to give his side of the story. He maintains that Fox's work was substandard because it included political and historical observations and was not limited to technical considerations. He claims that he told Fox that the analysis was substandard. Fox states that Johnson did not call his analysis substandard—to the contrary, he says Johnson said ''you're right and it doesn't matter.'' Fox also says that all similar analyses had elements of politics and history included and that Johnson did not reject those analyses.]

Johnson told Fox that if he didn't have a clean technical opinion (an approval) by 11:30, the next call would be to Fox's Director—''he can explain why a GS–14 is blocking a summit.'' Fox asked Johnson for 15–20 minutes to think about what he had been told. Johnson responded: ''clock's ticking.'' Fox went back into his meeting and discussed what had happened with a number of people (Peter Leitner, Benson, Mihnovets). Benson took him aside and said that the work was good, but that the ''fix was in.'' He was told that he should not be ashamed to give in, and that the matter had been decided at a higher level—that there was no use falling on his sword for this issue. (Fox noted that Leitner incorrectly thought that Fox's immediate superiors were in on the threat. Fox denies this.)

After talking to his colleagues at the State Department meeting, Fox called Johnson back and asked for Johnson to send suggested changes. Johnson faxed him the analysis prepared by Fox with suggested changes. (ATTACHED) Johnson also said that he wanted someone else to sign the analysis because it would be too obvious that Fox had been pressured to change his conclusions if he signed it. Johnson went through a list of types of people who might sign, including Presidential appointees and SESs. Fox said that there were no such people in his immediate section and Fox suggested Dr. Gallaway, a GS–15. [Johnson has a different explanation for the request for a different person to sign the analysis. He now says that it would be routine in an inter-office squabble to have a higher ranking official sign.]

Fox called Gallaway, who was already aware that there was some ''excitement'' over Fox's analysis. Fox asked for Gallaway's assistance (''ya gotta help me out''). They had a short discussion over whether it would be improper for Gallaway to sign, and whether he would get into trouble. Gallaway said he would help out and sign.

Fox had his secretary transmit a copy of the changed analysis to Gallaway, who reviewed it and signed. Gallaway sent the reworked analysis to Johnson about 12:15 p.m.

III. INTIMIDATION AND/OR RETALIATION

The threat by Johnson

When Johnson said ''You'll be lucky if you have a job at the end of the day,'' Fox became worried. He had only been on the assignment that he was on for 4–5 months. When Johnson threatened to call Fox's Director if a revised opinion was not sent within two hours, and when he said ''he can explain why a GS–14 is blocking a summit,'' Fox was concerned. His director had a fierce reputation. A number of personal factors also combined to make it critical that he not lose his paycheck. In short, he was worried about the worst case scenario of Johnson's criticism leading to him getting fired. [In its briefing to the Committee, DoD lawyers argued that Johnson and Fox were in different chains of command, and that Fox could not have been threatened by Johnson. Johnson, however, certainly appears to be on a higher employment level than Fox. To this end, DoD appears to be misleading the Committee.

Footnotes at end of article.

Subsequent call from Johnson

In February of 1999, as Senate investigators prepared to question Fox, Johnson called Fox and gave a different version of what had transpired. Fox said that ''it didn't happen that way.'' He told Johnson ''you know you threatened my job.'' That was the end of the conversation. After this conversation, Johnson gave Fox some more responsibility by making Fox the DoD representative to the Zangger Commission. Johnson was responsible for getting Fox on a delegation that went to Vienna.

Blacklisting from export control issues

Fox states that he has been blacklisted from any involvement with export control matters. Michael Maloof told Technology Security Directorate Director Dave Tarbell that Fox wanted to do more on export control matters. Tarbell agreed to endorse Fox for a job that would enable him to do this. Fox was to be moved to a temporary position that would become permanent.

Shortly thereafter, it became clear that Congressional investigators wanted to talk to Fox. Fox notified DoD General Counsel that he had been contacted by Senate investigators. On a Monday in late February he was interviewed by Eliana Davidson from Pentagon General Counsel's office. On Friday of that same week Fox was interviewed by Senate investigators. Within days Tarbell told Maloof that not only was Fox not welcome to the position that had been under consideration, he was not welcome to any job in export control. Maloof asked ''Why?'' and was told by Tarbell that he had ''heard things.'' Tarbell declined to be specific.

Fox filed an IG complaint, but the IG was unable to resolve the issue because Tarbell has declined to be specific about what happen. Fox filed an EEO complaint and the investigator who interviewed Tarbell was told that Tarbell received unsolicited information about Fox's capability. Tarbell said he didn't remember who the person was.

Service of subpoena

On June 21, 1999, a Committee staff member went to Mr. Fox's place of employment to serve a subpoena to testify. She was told by the head security guard: ''Mr. Fox talked to the public and we don't do that here. He doesn't work here any longer.'' The subpoena was ultimately served, but the odd exchange prompted Mr. Fox to ask rhetorically whether we think it odd that he is concerned for his job. (See Attached Memo)

FOOTNOTES

[1] Fox was shown a copy of the request when interviewed by Senate investigators. Thus, DoD was able to produce the document to the Senate. We asked DoD for this document specifically on June 21 and had not received it as of June 23.

[2] Conversations are recounted to the best of Mr. Fox's recollection.

DEFENSE SPECIAL WEAPONS AGENCY,
Alexandria, VA, October 23, 1997.

MEMORANDUM

To: OSD/ISP/N&I (Mr. Michael Johnson).
Subject: Review of Reciprocal Arrangement with People's Republic of China.

In 1985, the U.S. and China negotiated an Agreement for Cooperation in the Peaceful Uses of Atomic Energy. As part of the implementation of this agreement, Congress mandates that the President must certify that any reciprocal arrangements concluded thereunder must be designed to effectively ensure that any nuclear materials, facilities or components provided under this agreement be utilized solely for peaceful purposes. Congress has also determined that arrangements concerning information exchanges and visits negotiated under this agreement will be deemed ''subsequent arrangements'' pursuant to section 131a of the Atomic Energy Act of 1954, as amended, and subject to the required findings and determinations defined therein. as the parties to this agreement are both nuclear weapon states, diplomatic channels establishing mutually acceptable information exchange and visit arrangements are utilized in lieu of bilateral safeguard provisions.

The United States and China have negotiated an information exchange and technical cooperation reciprocal arrangement which conforms to the definition of a ''subsequent arrangement''. Pursuant to section 131 of the Atomic Energy Act (42 U.S.C. Sec. 2160), the Department of Enegy has requested consultative review of this proposed implementing arrangement in compliance with the provisions of the Nuclear Non-Proliferation Act of 1978. This memo is provided in accordance with the provisions of DSWA Instruction 5100.40 (which governs the agency response to such requests), and details the results of our technical assessment to the Office of Secretary of Defense.

The terms of the reciprocal agreement are relatively simple and direct. The U.S. and China will be afforded annual opportunities to: send technical experts to each others' civil reactor sites; observe operations and reactor fueling; exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and disclose detailed reactor site operational data, to include energy generated and loading.

Section 131 of the Atomic Energy Act and related legislation requires a thorough inquiry into such arrangements. The inquiry must address whether the contemplated state action will result in a significant increase of the risk of nuclear weapons technology proliferation. It must also consider whether the information and expertise shared under the proposed reciprocal arrangement could be diverted to a non-nuclear state for use in the development of a nuclear explosive device, and whether the U.S. can maintain an environment where it will obtain timely warning of the imminence of such diversion.

Given that the 1987 MOU between the United States and China on this subject provides for:

1. The right to obtain information required to maintain an invent of all U.S. supplied items, and of material used in or produced through the use of such items;

2. The right to confirm periodically, on-site, the accuracy of the inventory and the specified peaceful use of all items on this inventory;

3. The right to obtain this information, and to conduct on-site confirmation of this information, for as long as any such invent items remain in China or under its control.

The Defense Special Weapons Agency determines that the proposed Agreement is not inimical to the common defense or the security of the United States.

DR. GALLAWAY.

OPENING STATEMENT OF JONATHAN D. FOX BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON GOVERNMENT REFORM, THURSDAY, JUNE 24, 1999

Mr. Chairman, Members of this honorable House:

I am obliged to appear before you today by order of subpoena. I have neither sought nor solicited this honor. It is an obligation on my part which has arisen through disclosures of a public and independent nature offer which I have had no control or influence. It is an obligation not without risk, and I would be less than honest if I did not admit that it is undertaken with no small concern for my personal and professional future prospects.

Duty compels me to be here today. It is a duty enforced by the oath I took as an attorney, and as a member of the public service. In its simplest form, it is the duty to obey the law. It is the obligation to afford the workings of the law, and that of a duly constituted legislative inquiry, the utmost respect. And it is the duty to execute those responsibilities entrusted to me without fear or favor.

It is incumbent upon me to tell the truth. It is a key responsibility of public service. I am prepared to answer whatever questions you may have with candor and honesty. My answers will be grounded upon direct knowledge, information and belief. I cannot speculate upon things of which I have no knowledge, and will respectfully decline to do so if called upon. Unfounded speculation will only hinder the progress and credibility of this inquiry, and my respect for this House is too great to engage in such conduct.

Two hundreds years ago, President John Adams advised his son John Quincy to ''Never let the institutions of polite society substitute for honesty, integrity and character.'' My father, a concentration camp survivor, memorized that phrase and taught it to me when I was very young. I have always tried to comport my career in public service according to that standard. Whether I have succeeded will be determined, to no small extent, by the impressions you carry away from today's proceedings.

Mr. Chairman, members of this committee, this concludes my opening statement. Thank you for your kind indulgence. I am prepared to answer any questions you may have.

MEMORANDUM

To: Memo to the Jonathan Fox file.
From: Kimberly Reed.
Date: June 21, 1999.
Re Service of Jonathan Fox subpoena.

On June 21, 1999, I served Jonathan Fox a subpoena to testify at a June 24, 1999 hearing on the flow of dual-use technology to China and whistleblowers.

For service, Mr. Fox gave me the DTRA address of 45045 Aviation drive, Dulles, VA 20766–7515. He told me to notify the front desk security guard that I had a congressional subpoena and that he phone the DTRA general counsel's office and Mr. Fox. The rationale for this action was to give the DTRA general counsel's office notice of the subpoena and allow them the opportunity to accept service on behalf of Mr. Fox if this was the normal protocol.

Arriving at DTRA at 1:30, I did as Mr. Fox instructed. The front desk security guard phoned Mr. Fox and then the general counsel's office. After talking to a staff member in the general counsel's office, the security guard told me they were unable to determine the general counsel's protocol for subpoenas (the chief general counsel was away on vacation). While waiting for an answer, the head security guard approached me and asked that I follow her into a room away from the public (the vending machine room), where others could not overhear our conversation. I believe her initials were T.P., but would recognize her name in a list or her by appearance.

The head security guard questioned my actions and I told her ''I was to serve a subpoena on Mr. Fox to testify before Congress and wanted to see the appropriate person to serve, whether it be the general counsel or Mr. Fox.'' She approximately replied: ''Mr. Fox talked to the public and we don't do

that here. He doesn't work here any longer.'' She seemed inquisitive and perplexed by my presence.

I told her that I spoke with Mr. Fox earlier in the day and he was expecting the subpoena and showed her his telephone number. She returned to the front desk, where she was informed that the general counsel didn't need to see the subpoena. She phoned Mr. Fox (who was listed in their phone directory) and arranged to have me serve him at his building—44965 Aviation Drive. I served Mr. Fox at 1:55 pm.

___

[From the Wall Street Journal, June 10, 1999]

THE ADMINISTRATION QUASHES TRUTH TELLERS ON CHINA

(By Michael Ledeen)

* * * * *

Despite pressure from the White House, Jonathan Fox, an attorney on the arms-control staff of the Defense Special Weapons Agency, wrote a memo stating with certainty that China was a nuclear proliferator and that the proposed arrangement was ''a technology transfer agreement swaddled in the comforting yet misleading terminology of a confidence-building measure.'' Mr. Fox's memo argued against the agreement on these grounds:

It ''presents real and substantial risk to the common defense and security of both the United States and allied countries.''

It ''can result in a significant increase of the risk of nuclear weapons technology proliferation.''

''The environment surrounding these exchange measures cannot guarantee timely warning of willful diversion of otherwise confidential information to non-nuclear states for nuclear weapons development.''

There was no guarantee that the nuclear information would be limited to non-military applications in China itself.

Mr. Fox noted that the Chinese chafed at their inferiority to the West and ''now [seek] to redress that balance through industrial, academic and military espionage. China routinely, both overtly and covertly, subverts national and multilateral trade controls on militarily critical items.'' (Those who have been lured into the deceptive debate over when we knew about Chinese espionage should note that civil servants like Mr. Fox, well below the pay grade of National Security Adviser Samuel Berger and Secretary of State Madeleine Albright, were well aware of the general phenomenon).

On Oct. 24, 1997, Mr. Fox was called out of an interagency meeting to receive an urgent telephone call. According to three people to whom he gave a contemporaneous account of the phone conversation, he was given an ultimatum from superiors in the Office of Non-Proliferation Policy in the Department of Defense: either revise the memo and recommend in favor of the agreement, or look elsewhere for employment. (Mr. Fox himself declined to comment on the matter.)

Within an hour, all the critical language had been deleted, and the memo now simply concluded that the agreement ''is not inimical to the common defense or the security of the United States.'' Worried that his earlier draft might fall into unfriendly hands, Mr. Fox's superiors insisted that somebody else sign the new memo.

The arrangement was in place in time for the summit with the Chinese ruler, who was no doubt quite satisfied that his American friends had given him a good-conduct certificate, even though he, Mr. Clinton and the entire American national-security team knew full well that China was spreading militarily useful nuclear technology to such nations as Iran and Pakistan. Indeed, it was precisely this knowledge, and the fear that somebody in the media or Congress might enunciate it at an embarrassing moment, that drove the administration to silence potential truth-tellers.

Mr. Fox is not the only weapons expert in the government to have been instructed to lie or remain silent about the true consequences of sending military technology to China. Notra Trulock and his colleagues were told by their superiors at the Department of Energy that they should stop annoying people with accounts of Chinese espionage at Los Alamos. Similarly, professionals in the Pentagon such as Michael Maloof and Peter Leitner were told to keep quiet about the approval of high-tech licenses that would strengthen Chinese military power. Both of them spoke out; others remain silent.

But even when the professionals stick by their principles, their superiors have chosen to substitute facts with politically expedient disinformation. On at least two occasions, military experts who argued against high-tech exports to China later discovered that their recommendations had been altered in the Pentagon's computerized data base.

Had President Reagan's appointees attempted such heavy-handed censorship, the Democrats in Congress, constantly on the lookout for cooperative whistle-blowers, would have cried bloody murder. Yet despite being well aware of the level of internal censorship, Republican leaders from Rep. Dick Armey to Sen. Fred Thompson have all but remained silent. Mr. Thompson's Governmental Affairs Committee asked the Pentagon's Inspector General to investigate this matter last August. With the lightning speed that has characterized Republican investigations, the Inspector General's report is due to arrive on June 18, nearly a year later.

Congress's behavior is thus the reverse of what it was during the Reagan years, which is one reason the president has breezed through revelations that would have threatened the tenure of his predecessors. Republicans have yet to present a coherent challenge to the administration's China policy, and for several years have largely ignored the cries of alarm from the professionals who have spent their lives protecting our security.

We don't yet know why Mr. Clinton chose to help arm China and why Congress has been slow to stop it. But one thing ought to be clear: The blame for this scandal lies not in the distant past with the Reagan administration, which tried to prevent our military technology from falling into the hands of real and potential enemies, but with Mr. Clinton, who has consciously and systematically done the opposite. On this point, there must be neither doubt nor silence.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume to say to the gentleman from Indiana that I would hope he would share the documentation of his charges with the members of the committee who are all very interested in seeing it. I have no question of the gentleman, but I would just hope he would share it with other members of the committee.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Indiana.

Mr. BURTON. Mr. Speaker, I would be happy to share them with anyone who would like to see these documents, all of them.

Mr. GEJDENSON. Mr. Speaker, we would be happy to see them.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. WEXLER) control the time that I am in charge of.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Speaker, before I do that, I yield 4 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I rise in support of the legislation we are considering, but I want to broaden my comments to deal for a few moments with our overall relations with Russia.

Last week I was in Moscow for a lengthy and substantive discussion with the foreign minister of Russia and for a meeting with the Diplomatic University, which trains the future diplomats of Russia. I think it would be a very serious mistake if we would engage over the course of the next few months in bashing Russia which, in point of fact, with all of their problems, they have made enormous achievements since the collapse of the Soviet Empire.

Now, all of us wish that the evolution of Russia that we have seen this past decade would have been more smooth, would have been more democratic, would have been more friendly to our interests. But I think the fact remains that Russia is about to have free and open parliamentary elections; next year, free and open presidential elections. Every Russian has a passport, they are anxious for American investment, and they are along many lines working with us as a country ready to share with us some international responsibilities as they did in Kosovo.

Now, I think it is extremely appropriate that this piece of legislation deal with placing penalties on Russian institutions that engage in proliferation of weapons and mass destruction technology. But I think it is equally important to keep the problem in perspective. There is an enormous amount of anti-Americanism that permeates Russian society today. This was a society which, 15 years ago, was one of the two super powers on the face of this planet. It is now a destitute, chaotic, Mafia-infested society with enormous material and psychological problems; and I think it is extremely critical that in properly criticizing them for things that they do wrong, and they have done wrong by not controlling the proliferation of weapons, we do not draw the general conclusion that we are going back again to an era of confrontation with Moscow.

There are powerful democratic forces in Moscow. There are important political figures who share our values, and it is important to strengthen the democratic forces in Russia. It is extremely important that we continue strengthening the democratic forces in Russia, because I predict in 10, 15, or 20 years, Russia will again be a great power. Their resources are unlimited. They are a highly talented, well-educated,

impressive quality of people, and I think it is absolutely in our national interests to recognize our overriding concern in developing more cordial, more friendly, more ongoing relations with the people of Russia.

We should also not forget that the Russian Government is facing terrorism from Islamic fundamentalists. In the last 10 days, there were four explosions, taking the lives of hundreds of innocent Russian civilians in the heart of Moscow, in the very heart of Moscow. These people deserve our support, our friendship, and our cooperation; and I call on my colleagues to give it to them.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from Pennsylvania (Mr. WELDON), the distinguished chairman of the Subcommittee on Research and Development of the Committee on Armed Services and a member of the Cox Committee.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today in support of this legislation, and I thank my good friend and colleague for yielding to me, and I rise as a good and long-term friend of the Russian people.

Mr. Speaker, I have had the pleasure of traveling to Russia some 19 times. I will be leading another delegation to Russia within the next 30 days. I have over 150 members of the Federation Duma who are personal friends of mine, and I am working on initiatives like developing a housing mortgage financing system for the Russian people, helping them deal with the problem of nuclear waste, helping them encourage more economic investment, helping to strengthen the regions and regional leaders; and right now in fact I have 20 young Russian leaders coming to my district as a part of an exchange program that we started this past summer where 2,000 young Russians are coming to America; and I just initiated a new program to have staff members in this Congress engage and participate with exchanges with staff members of the Russian Duma.

All that being said, this legislation is necessary not because we have a problem with the Russian people, but in my opinion because of the policies of this administration, which have helped cause the instability in Russia, both economically and politically.

Mr. Speaker, proliferation is out of control in Russia, not just in words or rhetoric. I have here, Mr. Speaker, a Russian accelerometer and a Russian gyroscope. These were clipped off of Russian SSM–19 missiles. We caught them, Mr. Speaker, not once, not twice, but three times, being transferred from Russia to Iraq. In fact, Mr. Speaker, we have over 100 sets of these devices.

We did nothing about the transfer, Mr. Speaker. We did not impose the required sanctions under the missile technology control regime. We basically allowed Yeltsin to tell President Clinton, do not worry, we will conduct a criminal investigation, and nothing happened. So why should we be surprised, Mr. Speaker, if Russia cannot control proliferation?

I did a floor speech last June, which I will include in the RECORD again, at least the study done by the Congressional Research Service. Mr. Speaker, I documented 37 violations of arms control agreements in the last 6 years by Russia and China. Thirty-seven violations. We imposed the required sanctions twice, and that was when we caught China transferring M–11 missiles and ring magnets to Pakistan, and what did we do? After 2 years we waived the sanctions. We saw technology flow to Iran, to Iraq, to Syria, to Libya and North Korea from China and Russia. I was not surprised when India and Pakistan's saber rattled, because we saw Russia transferring technology to India and China transferring technology to Pakistan.

Mr. Speaker, the problems that are inherent here are in many cases our own doing, an administration that has been so preoccupied with not embarrassing the relationship between Boris Yeltsin and Bill Clinton that it does not want to call into question, when we have solid evidence that technology is being sent abroad illegally, and the same problem with the IMF funding. We did not want to embarrass Yeltsin because his crony friends were ripping off billions of dollars of IMF money, and we wonder why Russia is a basket case.

The policies of this Government are turning their head the other way, are ignoring obvious violations of arms control regime violations. An obvious turning of our head when billions of dollars of IMF money is going to the failed oligarchs who corrupted the Russian banking system are many of the reasons why Russia today is a basket case economically and politically.

We passed the Iran missile sanctions bill in the last session with 395 votes in this body, and 96 votes in the Senate, in spite of Vice President GORE lobbying 12 of us personally. The gentleman from New York (Mr. GILMAN) was there, Mr. Hamilton of Indiana was there, Senator LEVIN was there, I was there, twice not to pass that bill, because the Congress has lost confidence that this administration can stop proliferation.

And this is not a Republican issue. Democrats and Republicans have joined together and said to this administration, we cannot keep bolstering up Yeltsin when it is obvious the system around him is corrupt and all we have done is reinforce Yeltsin's leadership, and now we are paying the price.

The Russian people and the members of the Duma look at us and they say, where were you, America, when you basically turned the other cheek and pretended these transfers were not taking place? Where were you, America, when Yeltsin's cronies were siphoning off billions of dollars of IMF funding? Why did you not call into question what Yeltsin's cronies were doing? Why did you not call into question Yuri Koptev in the space agency when these transfers were taking place? Is it any wonder, Mr. Speaker, that the Russian people have lost their confidence in America as a friend and partner?

The 95 percent of the Russian people, Mr. Speaker, who are good and decent people, who are not members of the Communist oligarchy, many of whom took over the reigns of the Yeltsin administration, they see through this charade in Russia. These people saw the IMF money being bilked away, these people saw this kind of technology being sold abroad time and again, and they saw this country and this President ignoring the realities of the instability just so that Yeltsin could be reelected again.

We have a terrible crisis on our hands, Mr. Speaker. I agree with the last individual who spoke. This should not be a time to bash Russia as a nation, nor the Russian people, nor the emerging Russian leaders; and they know my position very clearly on these issues.

☐ 1215

This is a time where we have to call into question our administration for helping to foster and encourage this kind of instability in Russia today.

We need to pass this legislation, not to create the feeling in Russia that somehow they are our enemy, because they are not. We need to pass this legislation because we need to let Russia know that we will no longer tolerate incompetence, gross abuse, and tolerate the illegal activities that the Yeltzin government foisted on the Russian people for the past 7 years while we turned our heads, pretending that these situations were not real.

I urge my colleagues to support this legislation, as they did 2 years ago. In fact, Mr. Speaker, when President Clinton vetoed the bill that the distinguished chairman and the distinguished gentlewoman from California, Ms. Harman, introduced in the House, we could have overridden that veto. But it was the Speaker of the House, a month before the congressional elections, who said that we would not be allowed to vote to override the President's veto.

I am convinced had we had that vote, with the support of AIPAC, and they were in the room when we met with the Speaker, with the support of those people concerned with proliferation, we would have sent this administration this signal 2 years ago.

Here we are 2 years later. Technology is still flowing. The fat cat oligarchs are still getting richer and the Russian people are still suffering. I urge my colleagues to support this legislation.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

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

Let me see if I can remind my friends in this body that we are talking today about the Iran Nonproliferation Act of 1999. We are talking about the Iran Nonproliferation Act.

We live in a hostile and dangerous world. One of the reasons why the world is so hostile and dangerous is because there are nations like Iran who are committed to wreaking havoc in their region and literally all over the globe. If Iran were to be successful in its intended desire to send weapons of mass destruction, biological, chemical, and nuclear devices, not only to our friends and allies in the Middle East but to our friends and allies in Europe, they also would love to develop and have intended to develop the technology to send those weapons of mass destruction to the United States of America. That is why I support the Iran Nonproliferation Act of 1999.

So it is important for us to keep our eye on the ball here in Congress, and note that with regard to this law that we are proposing, we want to remind everyone that it is Iran, as well as Iraq and North Korea, who make this world dangerous, but this bill has to do with Iran.

I would also like to say it is a reminder to nations like Russia and China that the Congress of the United States will not forgive their assisting Iran in developing these weapons of mass destruction and the technology to deliver these weapons to not only the United States but to our allies around the world.

There is a great deal of wishful thinking with regard to our enemies. We in America would like to believe that people around the world have as good intentions, as warm hearts, as we do. Not everyone is like us.

The people of Iran need to create a government in Iran which will stop threatening the peace of the world. That is not the case yet. Iran is a danger to the world. It must be isolated, it must be stopped, until they are ready to join the family of nations in peace. This legislation will help.

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Florida (Mr. WEXLER) has 8 minutes remaining and the gentleman from New York (Mr. GILMAN) has 2 minutes remaining, so the Chair will continue to recognize the gentleman from Florida (Mr. WEXLER) to yield time.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, as a cosponsor of this legislation and one who has strongly supported and will continue to support disarmament and peace initiatives throughout the world, I rise in strong support of H.R. 1883. It is my belief that this legislation will move us one step closer to nonproliferation of weapons of mass destruction in the Middle East and throughout the world by taking actions to stop foreign companies from exporting goods, services, and technology that can make a material contribution to Iran's weapons of mass destruction programs.

I believe we must take any and all actions to stop the spread of weapons of mass destruction in the Middle East and throughout the world.

The statistics of weapons of mass destruction are terrifying, to say the least. In terms of nuclear weapons, for example, we know that over 36,000 nuclear warheads exist between the nuclear powers.

I have just returned from a visit to Israel with several of my colleagues. The security concerns of the entire region are great, but so are the prospects for peace. This bill, the Iran Nonproliferation Act, moves us toward both, peace and security.

Foreign companies, just as any company, are in the business of making profits. Exporting goods, services, and technology that contribute to Iran's weapons of mass destruction program allows billions of dollars to be made to create a more hostile region and a more hostile world. This bill is a serious effort to tailor sanctions to foreign companies that are the true wrongdoers.

As we move into the next millenium, we need to work with Russia, our friend in the Middle East, and those who are not our friends to find ways to create security and a lasting peace for our children. Selling technology that would destroy the world certainly takes us in the wrong direction.

I thank the gentleman from New York (Mr. GILMAN) of the Committee on International Relations, and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for moving forward with this legislation in a bipartisan manner. I join and urge my colleagues to support H.R. 1883.

Mr. WEXLER. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I thank my friend, the gentleman from Florida, for yielding me the time.

First, I would like to express my sincere appreciation to the gentleman from New York (Chairman GILMAN) for introducing the legislation, for allowing me to be a participant in the development of the legislation and its cosponsorship, and to the Republican leadership for putting the bill over until after the recess to deal with some of the concerns and misunderstandings that I think would have existed which would have impeded the progress of this bill, had we rushed to a markup the last week before the recess. I do appreciate that delay.

I rise in very strong support of the bill. The purpose of this legislation is not to bash Russia. It is not to kill the Space Station. It is not even to bash Iran.

One thing we know, it has been reported everywhere and we all know it, Iran is on a program to develop nuclear, chemical, biological weapons and the ballistic missiles to deliver those weapons. Iran has determined that that is in their national interests.

A recent CIA report estimates that in the next few years Iran could test a long-range missile capable of delivering a small payload to many parts of the United States. Within a decade, Iran could test a more advanced nuclear-capable ICBM.

Again, my goal is not to demonize Iran. I would welcome improved U.S. ties with Iran. If they would simply stop supporting Hamas and other terrorist groups who seek to disrupt the Middle East peace process, release the 13 Jews currently in detention, and otherwise moderate their behavior, I would like to have our relationship with Iran improve.

But no matter what the status of our bilateral relationship, it will always be in our clear interest to prevent or delay Iran's acquisition of weapons of mass destruction. I doubt we will ever convince the Iranians to halt their weapons programs. Therefore, the next best thing we can do is to do everything in our power to cut off the flow of technology and expertise from other countries to Iran.

This legislation will do several things. First, it will help us get a more complete picture of which foreign entities are transferring technology to Iran, and authorize, he already has the power, but authorize, it will authorize even more clearly, but not require, the President to impose sanctions on those entities.

Congress has a right to know and understand the full extent of the proliferation to Iran. This bill helps to provide that information to the Congress. The bill will also limit extraordinary payments to Russia for the international Space Station. Certain exemptions have been made, but it will limit the extraordinary payments and new programs on the Space Station; in other words, payments for work that Russia already pledged to do at their own expense, unless the President certifies that the Russian Government is taking concrete steps to stop proliferation and that the Russian space agency and the entities under its jurisdiction or control have stopped making unauthorized transfers.

I do not want to bash Russia. I am not interested in playing the blame game, as some of my colleagues are right now, for this situation in Russia and the U.S. policy towards Russia.

I believe, particularly in the last couple of years, that this administration has made great efforts to try and persuade the Russians to do more to stop the proliferation. I believe Russia and its top leadership understand that proliferation to Iran is no more in their interest than it is in our interest.

But the fact is that if, in a program that we are participating in through

the Russian space agency, they allow their own subsidiaries and subordinate agencies that they can control to proliferate and to continue that technology, they should not expect to be partners with us in new programs. They have to make a choice.

The entity that is a joint venture, the entity that is a joint venture with us, with Lockheed on the launches, has understood that and has made that choice, and has resisted any temptations to proliferate. We want the Russian space agency to do the same thing with all their agencies. That is why this legislation, prospective in nature, is being introduced.

I congratulate the chairman, again, and the other cosponsors, and urge its adoption.

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

Mr. Speaker, I strongly urge my colleagues to think twice before believing recent rumors that the Iranian government has moderated its hardline policies towards the United States and our allies in the Middle East. The so-called moderate Iranian government has not ended its program to build weapons of mass destruction, and it continues to support terrorist groups that commit up conscionable acts of death and destruction.

The Iranian government also remains adamantly opposed to the Middle East peace process. Make no mistake about it, an unstable Iranian regime with weapons of mass destruction is a threat to the entire world and to the fragile peace evolving in the Middle East.

Since the end of the Cold War, missile and weapons technology has flowed unhindered from foreign companies to Iran. The United States must lead the fight to stop foreign companies from exporting their services and technologies to Iran. H.R. 1883 allows the United States to sanction foreign companies contributing to Iran's weapons buildup.

Russian companies in particular have been guilty of providing the Iranian government with weapons technology. The Iran Nonproliferation Act holds the Russian government and Russian companies accountable for the flow of technology and services reportedly transferred to Iran.

The greatest threat to the security of the United States in the next century will be posed by nations that are governed by unstable regimes like Iran, Iraq, and North Korea that are developing weapons of mass destruction. Our own intelligence agencies have warned us that in a short time these nations may have the capability to strike cities in the United States.

I strongly urge my colleagues to support this legislation and send a strong message that the United States will not tolerate individuals and companies aiding rogue regimes in their deadly efforts.

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

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

Mr. Speaker, I want to thank the gentleman on the other side for making this a strong bipartisan appeal to stop this kind of action in supporting Iran's development of long-range missiles. 5

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support this bill. Initially, I was hesitant to support the Iran Nonproliferation Act of 1999. But this bill has undergone many changes in the International Relations Committee and in the Science Committee, of which I am a Member, and I am hopeful that this bill will adequately prevent nuclear proliferation while providing fair treatment to our Russian counterparts.

I am cognizant of the continuing United States concerns with nuclear proliferation, and clearly we all understand the significance and importance of the proliferation issue. We must keep ever vigilant for the leakage of our military secrets, and I have been an ardent supporter of nonproliferation policies. I realize from my briefings on the subject that Iran seems determined to develop a nuclear weapons program. Their ballistic missile arsenal already contains the Shahab 4 and the Shahab 3 missile and there is an apparent effort to develop a new missile called the Kosar. It is even more evident from the nuclear race between India and Pakistan that the United States has a vested interest in seeing further proliferation halted. As we strive towards our goal we must ensure that our good intentions are not misdirected.

I appreciate Representative WELDON'S amendment to this bill in the Science Committee, and this amendment has done much to clarify the definition of ''maintenance'' in regards to the Service Module. I must acknowledge my disappointment in the fact that I was unable to add ''safety functions'' to this amendment. Considering that the amendment included environmental control, life support, and orbital maintenance under the definition of activities under maintenance, it seems to me that ''safety functions'' logically should be included in this list. It is my hope that the intent of the bill will incorporate this notion.

The Iran Nonproliferation Act of 1999 creates Congressional oversight of proliferation to Iran by requiring the President to report to Congress every six months regarding all foreign entities and any transfers of goods, services, or technologies to Iran. The bill also authorizes the President to apply punitive measures to those entities that permit the proliferation to Iran.

This piece of legislation does not require the President to apply punitive measures; instead it simply gives him the option to do so. We do not want to implement procedures that are too harsh, nor do we want to diminish the authority of the President.

This bill comes under the jurisdiction of Committee on Science because of Section 6. This legislation could prohibit our Nation from making ''extraordinary payments in connection with the International Space Station'' to the Russian Space Agency or entities under the Russian Space Station jurisdiction unless the President determines that it is the policy of the Russian government to oppose proliferation to Iran.

While we want to preserve our country's military secrets, we must also remain fair to our Russian partners. It is worth noting that the administration has already moved to curb the proliferation of weapons of mass destruction and is also committed to imposing trade sanctions on those who violate the Missile Technology Control Regime. A year ago, the administration sanctioned seven Russian aerospace enterprises for possible violations of the Missile Technology Control Regime. Potentially lost in this issue is the fact that Russian Space Agency has attempted to make the transition from military technology to civilian and space related technology. One reason that this transition has been slow is because Russia simply cannot pay its scientists to complete the transition. As confirmed by NASA the subsidies to the Russian Space Agency coupled with the work that they perform on the International Space Station help America's non-proliferation policy.

This bill has come a long way. I am glad that we have done much to improve it, for we do not want to alienate our Russian partners, nor do we want to undermine the efforts of NASA. While I can appreciate the national security interests that have guided this bill to us, I am fully aware of the concerns expressed by NASA. NASA seems concerned about Russian reaction to the passage of this bill. A negative reaction by the Russians could erode away the sense of goodwill that has been forged by the International Space Station.

I am hopeful that this bill will have the desired effect on the proliferation of our country's secrets, and for that reason, I support his bill.

Mr. CLEMENT. Mr. Speaker, I rise today in strong support of H.R. 1883, the Iran Nonproliferation Act. As a cosponsor of this measure, it is my hope that the House will adopt this bill. As a member of the International Relations Committee and a strong supporter of Israel, I believe that we must send a strong signal to Iran that we will not tolerate nuclear proliferation. We must not tolerate countries supplying military technology to Iran which has flight tested a missile capable of hitting Israel.

The threat of nuclear proliferation is not only a serious destabilizing force in the Middle East, but it endangers American interests as well. Maintaining and enhancing the political and economic stability of our allies in the region and supporting the Middle East peace process must be two of our top foreign policy goals for this part of the world.

I urge my colleagues to support this bill and send a clear signal that we will not tolerate nuclear proliferation and that we are determined to do what is necessary to bring peace to this troubled region.

Mr. NETHERCUTT. Mr. Speaker, I strongly support this legislation and am proud to be a cosponsor. We send a clear message to Russia with this legislation that any assistance to Iran with weapons of mass destruction or missile systems will be grounds for ending fruitful scientific relationships with the United States. We are forcing Russian scientists and government entities to choose between a symbol of international peace, the space station, and the proliferation of deadly technologies.

When the Science Committee considered this legislation last week, it accepted an amendment I offered that tightens the bill slightly. The Government of Russia has consistently argued that ''rogue'' elements within the scientific and military establishment are exporting deadly technologies to Iran. It is

conceivable that this fiction could be maintained, and private labs or independent agencies could continue to proliferate to Iran, even as they receive taxpayer funding for work on the ISS. This legislation ensures that this would not be the case, as the bill now prohibits extraordinary payments for the ISS to any foreign person or entity that Secretary of State finds has materially contributed or attempted to contribute to the proliferation of WMD or missile technology. The legislation also prohibits the indirect financing of such proliferators through another entity. For example, NASA could not make a payment to the RSA if it knew that a subcontractor for the work was involved previously with proliferation.

This is consistent with Executive orders 12938 and 13094 which prescribe procurement, assistance, and import bans for proliferating entities or countries. The current legislating essentially codifies these Executive Orders, raising their profile and raising the stakes for Russian entities that choose to engage in proliferative activities.

With this bill, we demonstrate to Russian entities that there is a long-term consequence to cooperating with Iran on missile or WMD programs. H.R. 1883 terminates ISS funding for these Russian labs if they have been designated as proliferators subject to the executive orders.

As the President said in his statement on EO 13094, ''being able to offer both incentives and disincentives enhances our capacity to deal with these threats.'' Clearly, this bill also allows for incentives and disincentives. Russian entities are encouraged to work with NASA on space station issues and are firmly discouraged from working with Iran. In a statement on the same Executive Order, Vice President GORE said that ''today's Executive Order . . . will explicitly bar assistance to and imports from entities now being investigated by Russia.'' Again, we are going no further than the Administration's stated intent of barring assistance to proliferative entities. This is an important bill and I urge my colleagues to support it.

Mr. CROWLEY. Mr. Speaker, I rise today in strong support of H.R. 1883, the Iran Nonproliferation Act of 1999.

Everyone in this Congress is aware that Iran has continually threatened the peace and security of the Middle East. Even today, Iran is still committed to the destruction of Israel, opposes the Middle East peace process and supports terrorist groups such as Hamas. In fact, Iran remains the world's leading sponsor of international terrorism.

Despite these very real security concerns, cash strapped Russia has supported the $800 million Bushehr project, a 1000-megawatt light-water reactor, in southern Iran.

Why Iran needs such a reactor remains an open question because Iran has one of the world's largest oil and natural gas reserves. However, many security experts believe that such projects provide good cover to a nuclear weapons program and provide Iranian technicians with expertise in the development of nuclear weapons.

These developments, along with Iran's successful test of the Shahab-3 missile, with a range of 800 miles, pose the greatest risk to Middle Eastern stability in history.

Mr. Speaker, the results of an Iran armed with nuclear weapons are almost too horrifying to imagine. But, if current trends continue, it may become an all too real nightmare for the United States and our Middle Eastern allies.

Former Israeli Prime Minister Binyamin Netanyahu put it best when he stated, ''The building of a nuclear reactor in Iran only makes it likelier that Iran will equip its ballistic missiles with nuclear warheads . . . Such a development threatens peace, the whole region and in the end, the Russians themselves.''

Given the potential threat of a nuclear-armed Iran, I believe it appropriate to withhold the $590 million in U.S. assistance for the Russian contribution to the International Space Station.

If Russian policymakers see the danger of their activities, they can certify that they are not transferring technology that would help develop weapons of mass destruction and aid will resume.

Mr. Speaker, the House took similar action when we passed H.R. 1477, the Iran Nuclear Proliferation Prevention Act of 1999 by a vote of 383 to 1. H.R. 1477 withholds the U.S. voluntary contributions from programs and projects of the International Atomic Energy Agency in Iran unless the Secretary of State makes a determination that they will not provide Iran with training or expertise relevant to nuclear programs' development.

I was proud to be an original cosponsor of the Iran Nuclear Proliferation Act, and I am proud to be a cosponsor of the Iran Nonproliferation Act.

Mr. Speaker, H.R. 1883 passed the International Relations Committee, on which I am proud to serve, by a vote of 33 to 0. I urge my fellow Members to give this legislation the same overwhelming support on the floor, that we gave it in Committee.

Mr. LAMPSON. Mr. Speaker, I listened very carefully to Chairman SENSENBRENNER's opening remarks during the hearing on this bill a couple of months ago. He stated that ''We must ensure that the Russian government is not facilitating the proliferation of missile technology * * * If the President finds that Russia is contributing to Iran's attempts to acquire weapons of mass destruction and ballistic missiles, then the bill prohibits NASA from transferring U.S. tax dollars to the Russian Space Agency and any enterprise under its jurisdiction.'' I can't agree more with the intent of this statement.

During Committee markup, I had planned on offering an amendment to this bill that I believe would have clarified and honored the original intent of the bill by changing the nature of Section 6 to one that would have prohibited payments if proliferation was to occur, but wouldn't require advance certification that it hasn't. No one will disagree, I believe, that we should punish cheating, and this amendment would have achieved that goal in a less burdensome manner than the existing provision.

However, I decided against offering this amendment. While I still have major concerns that Section 6 will not materially improve the effectiveness of this legislation in discouraging weapons technology transfer to Iran, and will cast a shadow over the greatest example of international cooperation in the peaceful use of space, I will reluctantly support H.R. 1883. That being said, I will diligently work to have the section relating to Space Station removed as soon as possible. I continue to believe that singling out Space Station is not the answer to stopping proliferation—Russian contributions to the International Space Station, a permanently inhabited research facility in space, in fact are not close to the weapons technologies that are of so much concern to us, and we should encourage the Russians to continue on with us in the peaceful exploration of space.

In addition, the reporting requirements of Section 6 unnecessarily duplicate other sections of the bill. Section 2 already requires that the President identify every Russian against whom ''credible information'' exists regarding tech transfers to Iran. This is, in fact, a harder test than the requirement for a ''policy'' certification from the President. I support this bill with the hope that my concerns will be addressed by all parties involved, at a later date.

Mr. HALL of Texas. Mr. Speaker, I would like to speak in support of H.R. 1883. As you know, I am a cosponsor of H.R. 1883. I think that it is a useful bill, and one which I believe has been improved by an amendment that I offered at the Science Committee's markup of the bill last week. I am pleased to see that my language has been included in the bill that is before the House today. Basically, my amendment shortened the notification requirements in order to avoid unnecessary bureaucratic delays and costs that do nothing to enhance our security.

In addition, it corrected a problem that had arisen when an amendment was adopted by the Science Committee's Space Subcommittee in its markup of the bill. That Subcommittee markup had included an amendment requiring partial transfer of Service Module ownership to the United States in the event of any extraordinary payments. My amendment changed that to ''goods and services''. The issue of transferring ownership of the Service Module is a complicated one in light of the existing international agreements. And I don't think that we'd really want to own part of the Service Module in any event.

Most members would agree with me, I think, that controlling the proliferation of weapons of mass destruction is one of the most important challenges facing our nation. I think that this bill helps address that challenge, and I urge Members to vote to suspend the rules and pass H.R. 1883.

Mr. GILMAN. 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 New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1883, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This 15-minute vote on H.R. 1883 will be followed by a 5-minute vote on the motion to instruct conferees offered by the gentlewoman from California (Ms. PELOSI).

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 409]

YEAS—419

Abercrombie	Allen	Armey
Ackerman	Andrews	Bachus
Aderholt	Archer	Baird

Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Becerra
Bonilla
Deal
Fattah
Hastings (FL)
Jefferson
Jones (NC)
Kaptur
Kingston
McDermott
Porter
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1250

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JONES of North Carolina. Mr. Speaker, on rollcall No. 409, I was unavoidably detained. Had I been present, I would have voted "yes."

APPOINTMENT OF CONFEREES ON H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS OPERATIONS ACT, 2000

MOTION TO INSTRUCT OFFERED BY MS. PELOSI

The SPEAKER pro tempore (Mr. BONILLA). The pending business is the question of agreeing to the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

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

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 419, noes 0, not voting 14, as follows:

[Roll No. 410]

AYES—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell

Pastor	Saxton	Thomas
Paul	Scarborough	Thompson (CA)
Payne	Schaffer	Thompson (MS)
Pease	Schakowsky	Thornberry
Pelosi	Scott	Thune
Peterson (MN)	Sensenbrenner	Thurman
Peterson (PA)	Serrano	Tiahrt
Petri	Sessions	Tierney
Phelps	Shadegg	Toomey
Pickering	Shays	Towns
Pickett	Sherman	Traficant
Pitts	Sherwood	Turner
Pombo	Shimkus	Udall (CO)
Pomeroy	Shows	Udall (NM)
Portman	Shuster	Upton
Price (NC)	Simpson	Velazquez
Quinn	Sisisky	Vento
Radanovich	Skeen	Visclosky
Rahall	Skelton	Vitter
Ramstad	Slaughter	Walden
Rangel	Smith (MI)	Walsh
Regula	Smith (NJ)	Wamp
Reyes	Smith (TX)	Waters
Reynolds	Smith (WA)	Watkins
Riley	Snyder	Watt (NC)
Rivers	Souder	Watts (OK)
Rodriguez	Spence	Waxman
Roemer	Spratt	Weiner
Rogan	Stabenow	Weldon (FL)
Rogers	Stark	Weldon (PA)
Rohrabacher	Stearns	Weller
Rothman	Stenholm	Wexler
Roukema	Strickland	Weygand
Roybal-Allard	Stump	Whitfield
Royce	Stupak	Wicker
Rush	Sununu	Wilson
Ryan (WI)	Sweeney	Wise
Ryun (KS)	Talent	Wolf
Sabo	Tancredo	Woolsey
Salmon	Tanner	Wu
Sanchez	Tauscher	Wynn
Sanders	Tauzin	Young (AK)
Sandlin	Taylor (MS)	Young (FL)
Sanford	Taylor (NC)	
Sawyer	Terry	

NOT VOTING—14

Buyer	Hilleary	Porter
Deal	Jefferson	Pryce (OH)
Fattah	Jones (NC)	Ros-Lehtinen
Goodling	Kaptur	Shaw
Hastings (FL)	Kingston	

□ 1300

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HILLEARY. Mr. Speaker, on rollcall No. 410, I was inadvertently detained. Had I been present, I would have voted "yes."

Mr. JONES of North Carolina. Mr. Speaker, on rollcall No. 410, I was inadvertently detained. Had I been present, I would have voted "yes."

The SPEAKER pro tempore (Mr. BONILLA). Without objection, the Chair appoints the following conferees: Messrs. CALLAHAN, PORTER, WOLF, PACKARD, KNOLLENBERG, KINGSTON, LEWIS of California, BLUNT, YOUNG of Florida, Ms. PELOSI, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. SABO and Mr. OBEY.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 417, BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 283 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 283

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the bill for amendment. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dallas, TX (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, House Resolution 283 is a fair rule which provides for the consideration of H.R. 417, the Campaign Finance Reform Act of 1999, under a structured rule. The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on House Administration. The rule makes in order 13 amendments which were printed in the report accompanying this resolution. Ten of the amendments are perfecting amendments debatable for 10 minutes each. After the disposition of those amendments, the rule makes in order three substitutes by the gentleman from California (Mr. DOOLITTLE), the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from California (Mr. THOMAS) which are debatable for 40 minutes each. The Doolittle and Hutchinson substitutes were reported without recommendation by the Committee on House Administration and the Thomas substitute was favorably reported.

The rule waives all points of order against these amendments except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the bill for amendment which, and I will underscore this, Mr. Speaker, is the standard amendment process in the House. So this process that we are going to be proceeding under will be regular order.

Mr. Speaker, 26 perfecting amendments and three amendments in the nature of a substitute to the Shays-Meehan bill were submitted to the Committee on Rules. All three substitutes were made in order. Of the 26 perfecting amendments, only one was submitted by a Democrat, and that amendment was in fact made in order in this rule.

The rule also permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

I would like to commend Speaker HASTERT for his very judicious handling of what obviously has been a hotly debated issue over the years. Earlier this year, he gave his word that the House would consider campaign finance reform in September under a fair process. Today, the Speaker has again demonstrated his leadership and good faith by bringing this measure to the floor under this rule. I also want to recognize the hard work of the gentleman from California (Mr. THOMAS) who held weeks of hearings and reported out four competing proposals. His committee did a tremendous job in framing the debate that we will have here this afternoon.

Mr. Speaker, free speech, particularly free political speech, is a cherished right enshrined in the first amendment to our Constitution. For democracy to flourish, a free people must be able to express their political views without government restriction. Our Founding Fathers recognized that this is in fact the fundamental precept of democracy. Without free political speech, our great American experiment cannot continue to thrive into the next millennium.

I do not believe that the current problems with the campaign system are caused by too much political

speech. They are caused by the outmoded rules and regulations which currently restrict speech. Although I commend the authors of the Shays-Meehan bill for their good intentions, I believe they are taking the wrong approach. Adding more layers of rules and regulations, more bureaucracies and barriers, to an already flawed system is not the answer. It is increasingly clear after 25 years of living with the Federal Election Campaign Act of 1974 that the current Federal campaign laws are fundamentally flawed. Just as the current Shays-Meehan proposal is the product of good intentions, the Campaign Act which we now live with was also the product of people driven to do what was right. It was praised for eliminating the possibility of another Watergate, lowering the costs of political campaigns and reducing the advantages of incumbency.

It is ironic that 25 years later, many of the law's same supporters are urging Congress to pass another campaign finance reform bill to accomplish what the Federal Election Campaign Act has failed to do. Limiting the amount of money spent and contributed in Federal campaigns will not lead to increased competition. Nor will it cause the influence of large contributors to wane or make politicians more accountable to their constituents. The Federal Election Campaign Act places limits on contributions and expenditures, but since 1974 campaign spending has more than tripled in real dollars. Incumbents have enjoyed huge advantages raising campaign funds, and they have generally had an easier time getting reelected. While history shows that limits do not work as advertised, the focus of reform continues to be on new contribution restrictions and suspending the free speech rights of grassroots organizations and their members. We are even looking at the prospect of regulating the use of the Internet and the World Wide Web for political purposes. Mr. Speaker, this is not the right way for us to go as we try to focus concern for first amendment rights.

To reduce the advantages of incumbency, I believe that contribution limits should be raised, at least to account for 25 years of inflation, and tax credits should be reinstated to encourage more individuals to participate in the electoral process. I will be supporting the Doolittle substitute which will encourage individuals to exercise their free speech rights more effectively, free political candidates from their frequent fund-raising activities, and reduce the advantages of incumbency. Rather than trying to regulate the Internet, a hopeless effort in the long run, I believe 21st century technology should be used to increase political openness. I support the establishment of electronic filing procedures and requiring that Federal Election Commission disclosure information be published on the Internet. With information related to political giving freely available in an understandable format on the Internet, Americans will no longer need to rely on special interests and the media to interpret the Federal Election Commission data for them.

Mr. Speaker, just as free trade encourages vitality in our economic markets, I believe free speech fosters a stronger democracy based on competition in a free market of ideas. Therefore, I will choose more freedom over more regulation.

This is not an unorthodox rule. It does not stack the deck against the Shays-Meehan bill. The rule does not make in order so-called ''poison pill'' amendments as some have suggested. The fact is this rule provides for a debate and amendment process closer to regular order than any campaign finance rule that has been debated in the past decade. If the proponents of Shays-Meehan have the votes, they will prevail.

Now is the time to cut through the rhetoric and approve this rule so that the House may work its will on this issue of campaign finance reform. This is a very serious issue, Mr. Speaker, that demands very serious thinking. I urge my colleagues to support the rule.

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

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

Mr. Speaker, on the road to a vote on real campaign finance reform, our friends in the Republican Party have set up an ambush. In this Congress, the Republican leadership has accommodated supporters of the Shays-Meehan campaign finance proposal by scheduling the bill for consideration, but appearances can be deceiving.

First, the rule reported by the Republican majority on the Committee on Rules gives opponents of campaign finance reform the opportunity to wound the bill by taking pot shots at Shays-Meehan. Then, when the bill is down and bleeding, the rule allows opponents to bring out the heavy artillery to try and finish it off. This rule may not give Shays-Meehan a clean vote. And, Mr. Speaker, unless Members of the House stand up and vote against the amendments designed to wound and weaken and eventually kill real and meaningful campaign finance reform, the Republican majority will once again, through a cynical exploitation of the process, stymie the efforts of those Members who are dedicated to reforming how Federal campaigns in this country are financed.

Mr. Speaker, House Resolution 283 makes in order a series of 10 amendments to Shays-Meehan. This series includes amendments that would, in essence, take away the ability of labor unions in this country to represent the views of their members in the political process, while others would allow individuals to increase their contributions to candidates from $1,000 to $3,000. There is even an amendment in this mix that puts limits on the campaign of the First Lady in the State of New York. These amendments are, by design, intended to seriously maim and wound Shays-Meehan.

The rule then provides for the consideration of three substitutes. These substitutes are intended to inflict mortal wounds. Should any one of them be adopted, Shays-Meehan will be declared DOA. While we can speculate that the first two substitutes, those offered by the gentleman from California (Mr. DOOLITTLE) and the gentleman from Arkansas (Mr. HUTCHINSON), will not pass, the third substitute, which is a proverbial sheep in wolf's clothing, stands a good chance of passing the House and killing Shays-Meehan.

That substitute, to be offered by the chairman of the Committee on House Administration, embodies a number of reforms to the operations of the FEC but does not affect the financing of campaigns. The Thomas amendment is indeed campaign reform. The problem, Mr. Speaker, is that it is not campaign finance reform. The intent here is quite clear and very obvious. This rule is designed to ensure that the House will never get a straight up-or-down vote on Shays-Meehan.

All that being said, Mr. Speaker, Democrats are not going to oppose this rule, for we know full well if this rule is defeated, that means the end of any discussion on the subject of campaign finance for the remainder of this Congress. In the last Congress, Shays-Meehan passed this body by a vote of 237–186 after the Republican leadership set up a series of roadblocks designed to keep the House from getting a vote on that bill. We can only hope that a majority in the House remains committed to campaign finance reform and will find a way to foil this ambush of the only proposal that fits that description.

Mr. Speaker, I urge my colleagues to reject the amendments made in order in this rule.

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

☐ 1315

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL), my very good friend.

Mr. CAMPBELL. Mr. Speaker, I thank the Chairman of the Committee on Rules, my good friend from California, for yielding this time to me.

Mr. Speaker, let me begin with a note of gratitude to the Speaker of the House. Last year we tried to get this bill up for a vote, and it took a discharge petition, with Republicans and Democrats together, to make it happen. That was under a different Speaker. This Speaker, by contrast, promised that we would have a vote on the floor in September. He has fulfilled that promise without being forced to by a discharge petition. There were many skeptics who said that it was a subterfuge; they were wrong. He deserves to be honored for keeping his word.

On the merits, as I see the rule, and I intend to support the rule, it allows a

fair discussion of Shays-Meehan and legitimate alternatives that colleagues wish to put forward. I intend to be supporting Shays-Meehan throughout today's debate. I intend not to be agreeing to amendments that would kill Shays-Meehan. But other people have their reasonable attitudes about their own approach, and it is simply fair to allow them to present their alternatives. There is nothing unfair in a rule that allows this House to debate alternatives.

I am going to use the remainder of my time just to identify one very important thing we will do today, when we pass Shays-Meehan.

A television ad that was run in the last campaign stated:

Head Start, student loans, toxic clean up, extra police protected in the budget agreement, but the President stood firm. The President's plan: Politics must wait, balance the budget, reform welfare.

Almost the identical words appeared in a similar ad, the first one, however, by the DNC with soft money on May 31, 1996; the second, by the Clinton campaign, on June 2, 1996.

What we have today is a huge loophole in campaign finance. We run the exact same ads almost, but we run them as soft money ads through a political party, and anybody can contribute any amount of money to finance those ads.

Mr. Speaker, if we intend to have a system that limits how much people can influence the system to prevent corruption, then we must not allow a loophole as large as this whereby we can run almost exactly the same ads and have them excused because it is soft money rather than hard.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), the author of the legislation.

Mr. MEEHAN. Mr. Speaker, I thank the gentleman from Texas for yielding this time to me.

Members of the House have a unique opportunity today to make a real difference and to pass campaign finance reform, legislation that is long overdue.

As my colleagues know, we have had lots of disagreements between Democrats and Republicans about how to determine tax policy, what to do with the surplus, a patients' bill of rights, education reform and what to do to improve education across our country. Finally today we have an issue that Democrats and Republicans can agree on.

There were 50 to 60 Republicans who supported this legislation in the last Congress. We got 251 votes from Members of this House in the last Congress. This is our opportunity today to pass real comprehensive campaign finance reform, to make soft money illegal, illegal because it is a loophole that came out of the Campaign Finance Reform Act of 1974 and has had a corrupting influence on presidential elections in this country.

Mr. Speaker, it is not good enough to just stand up and have hearings and spend millions of dollars talking about the abuses in the last campaign and then do nothing about it. It is just not good enough to have hearings and create an environment where Democrats attack Republicans, Republicans attack Democrats, on the abuses in the last campaign and then do nothing about it. Today is the day. Today is the day when the votes are going to be counted and we are going to determine who is for campaign finance reform and who is not.

During the course of this debate there are a number of what we call ''poison pill amendments,'' amendments that are designed to do nothing but kill this unique coalition that has been established. I urge the Members of this House to see through these amendments and recognize them for what they are, nothing more than an attempt by the opponents of campaign finance reform to kill this legislation.

Let us kill these amendments, and let us pass comprehensive campaign finance reform today.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), my good friend, and neighbor and classmate.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, certainly I rise in strong support of this bill that is finally bringing Shays-Meehan to the floor, and I might say better late than never. Neverthless, I do express appreciation to the Speaker for fulfilling his promise that we conduct this debate.

I do think that without question, as already has been stated here, the American people believe that we have a rigged and corrupt system, and perhaps with good reason, but we have a good opportunity today to really put that behind us and vote this reform. This will put us on the road to reestablishing our credibility.

I must say that with the campaign costs skyrocketing candidates and incumbents, as the American people have seen, find themselves devoting more and more time and energy to fund-raising and the reach and influence of special interests has grown out of control, and as a consequence, people do believe that their elected officials are bought and paid for; and it is at the core, I believe, of the voter cynicism that is leading Americans to drop out of our political system and the political process of our democracy.

We have here today the opportunity, without question, to address one of the most corrupt, corrosive developments in our system, the explosion of soft money; and that is what we are about today. If we do nothing else, we must lay the foundation and take this giant step for correcting this problem and ban soft money. It will not do everything, but it will be the foundation and a giant step forward, and we must do it.

The American people are cynical; they are disgusted. Let us take this first giant step to restoring faith in our democratic process. Support the rule, and support Shays-Meehan, the soft money ban, outright. It is a strong ban, a hard ban, on soft money.

Mr. Speaker, I rise in support of this rule and would like to begin my remarks this afternoon by saying: ''better late than never.

I have been part of a bipartisan group of Members who have been seeking a full and a fair debate on campaign finance reform.

We should have had this debate last Spring.

As a result, America will be forced to witness another general election conducted under rules the American people think are rigged and corrupt.

But we are finally having it now and I thank the Speaker for fulfilling his promise to conduct this debate.

Mr. Speaker, the lack of fundamental change in our campaign finance reform is one of Congress' most significant failings. Clearly, our campaign finance system is out of control. The signs of impending disaster dominate the headlines every day. Campaign costs are skyrocketing. Candidates, incumbents and challengers alike, find themselves devoting more time and more energy to fundraising. The reach and influence of special interests continue to grow. As a consequence, many people believe elections are ''bought'' by those organizations with the most money! And is at the core of voters cynicism leading to Americans dropping out of the political process of our democracy.

Without question the most corrosive recent development has been the explosion of so-called ''soft money''—donations from wealthy corporations, labor unions and individuals to the major parties.

Of course, there are many critically important issues that we will examine during the course of this debate—the so-called paycheck protection amendment, issue ads, independent expenditures, and others.

But if we do nothing else—let's ban soft money. My Colleagues—soft money was at the heart of each and every one of the scandals of the last Presidential campaign today—nights in the Lincoln Bedroom, White House coffees, alleged contributions from the Chinese military to the DNC, and more.

The American people are cynical and disgusted. They should be.

Support the rule. Then, to ban soft money outright, support Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, 20 years ago in Buckley versus Valeo, the Supreme Court said, and I quote, ''To the extent that large contributions are given to secure political quid pro quos from current and potential officeholders, the integrity of our system of representative democracy is undermined. Of equal concern is the danger of actual quid pro quo arrangements and the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions.''

Twenty years ago the main problem was unlimited individual contributions going for undisguised campaign ads. Today the problem is different. It is unlimited contributions from individuals and groups going for campaign ads that are disguised transparently as issue ads.

So this is the real question. Will it take a Teapot Dome scandal to get action under this dome on campaign finance reform?

The Annenberg study says the abuse of sham issue ads is growing. I read for my colleagues this campaign ad from last year:

''Linda Smith on education: I have decided the U.S. Department of Education is not necessary. That explains why Smith cosponsored a bill to eliminate the Department of Education, voted to cut Head Start and student loans, voted against testing standards to make schools accountable. Linda Smith even voted to slash safe and drug-free schools in half. Linda Smith puts her narrow political agenda ahead of our schools. Tell her to stop voting against kids.''

If the words had been used ''defeat Linda Smith,'' under our campaign laws, instead of the word ''tell'' which was used, that was clearly a campaign ad. Games played with language using the word ''tell'' instead of the word ''defeat'' should not thwart the law.

Corruption by money of the democratic process is not freedom.

Mr. DREIER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), my good friend.

Mr. WICKER. Mr. Chairman, I thank my friend for yielding this time to me.

Mr. Speaker, I will vote for this rule of course, but against final passage of Shays-Meehan. Let me make one thing clear at the outset of this debate. There is no public clamor for this legislation. I have been in almost every corner of my 24-county district during the last month, and not once did a single citizen bring up the issue of our campaign finance laws. No, the hue and cry for this bill is occurring inside the Beltway of Washington D.C. largely by those who would receive a special advantage by this proposed tilting of the playing field.

Mr. Speaker, I am proudest of this House when it works in a bipartisan manner, but this is not what we will have today. There may be high-sounding tones in the media about the winds of reform, but for its liberal advocates this bill is really about party politics, and here is why. The big labor bosses use the forced dues of their union members to further their political goals, and that usually means support only for Democrats. This bill would do nothing to stop that practice.

Shays-Meehan takes no action to limit another of the most significant abuses of the liberal labor bosses, and that is the in-kind, unreported use of union employees for get-out-the-vote, organization efforts, and other political activities. These actions benefit one party exclusively and, frankly, are beyond the scope of anything we can do as a Congress.

Mr. Speaker, this debate should be about freedom of speech, freedom of expression, the first amendment to the Constitution of the United States.

Look at this diagram, Mr. Speaker. We should shudder to contemplate the arcane, complex, Rube Goldberg limitations on American expression which are contained in this bill. This is the convoluted process that the courts and the FEC, candidates and citizens will have to go through in order to make sure their advocacy is permissible under Shays-Meehan.

Now, Mr. Speaker, I have friends on both sides of the aisle who legitimately believe that there is too much money in campaigns today, and I will admit that there is a certain nostalgia for the one-on-one campaigns of yesteryear; but this bill, Shays-Meehan, does not get us there. When I was a youth growing up in Mississippi, there was always a huge crowd around the court square on a Saturday morning. A candidate could come into town with a loud speaker on top of his station wagon and get his point across to a large percentage of the voters. But those days are over. We live in the days of malls and cable TV with 99 channels, the Internet, not to mention radio, direct mail and the print media. Those are the methods we use in the United States of America to convey information today, and it costs money to buy that form of advertising.

Freedom of speech is worthless if no one can hear it. The truth is that it takes funds to amplify our political discourse to a level which reaches the public.

Mr. Speaker, there are solutions out there to rectify the most unpleasant aspects of campaigning and raising funds to do so, but that will not occur today. It will not occur as long as one political party believes it can achieve a significant and unfair advantage under the guise of reform.

I urge passage of the rule and defeat of Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise reluctantly to support this rule because it remains the only way that we will get real campaign finance reform on the floor for a vote. The underlying Shays-Meehan bill is strong, bipartisan legislation that deserves the support of every Member of this House. It is the only bill that shuts down the soft money system and reins in the phony issue ads; but in order to get to Shays-Meehan, this rules forces us to navigate a minefield of poison pills, killer amendments and substitutes introduced by many Members who have absolutely no intention of voting for the underlying bill.

The most dangerous of these is the Thomas substitute. It would strengthen the FEC, a cause I have long championed. Along with my colleague, the gentleman from Tennessee (Mr. WAMP), we introduced an amendment that would incorporate the Thomas substitute as a perfecting amendment, as many of us did with the commission bill of the gentleman from New Jersey (Mr. FRANKS) and others last year. But, Mr. Speaker, this was rejected.

I urge my colleagues, vote for the rule, against all substitutes, all killer amendments, and for campaign finance reform.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS), the lead author of the campaign finance reform bill which brought us to this point.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding this time to me, and I thank this Congress for debating this issue.

This is legislation that clearly has bipartisan support. It is a team effort, and it has probably been one of the more satisfying activities that I have been involved in.

☐ 1330

I just want to say that I disagree strongly with the gentleman from Mississippi talking about it being one party. It is not about one party, and it is not about freedom of speech because we retain freedom of speech. It is about ending corrupt politics. That is what it is about.

It has been against the law since 1907 for corporate treasury money to be used in campaigns, but it happens. It has been against laws since 1947 for union dues money to be used in campaigns, but it is happening. It has been against the laws since 1974 for foreign nationals to contribute to campaigns but they are, and they are because of two loopholes: Soft money, the unlimited sums of money from individuals, corporations, labor unions, and other interest groups; and the sham issue ads which are truly campaign ads.

We do not prevent those ads for money. We just call them campaign ads. What that means is, out goes the corporate treasury money, the union dues money, and the foreign national money. That is what this debate is about. It is about having a fair system, where everyone has a right to speak out, and where we enforce the 1907 law, the 1947, law and the 1974 law.

I would want to just end by saying this is a fair rule, but it is a fair rule that gives the opponents of our legislation seven shots to kill us as amendments and three shots to kill us through substitutes. It is still a fair rule. It is a rule, though, that does not allow for one amendment, and that is the Thomas amendment. We wanted it as a perfecting amendment rather than as a substitute because it is a very good piece of legislation, but it is process, not reform, in our judgment.

So I salute sincerely the chairman of the Committee on Rules for making sure we have a debate that will not go on for months, giving us time limits,

letting us know what is coming, and I thank him for doing it; and I thank our Speaker for living up to his word.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise in reluctant support of this rule, in strong support of the Shays-Meehan bill, and in opposition to the poison pill amendments. Today's votes present clear choices. If one is a Member of this House and they like spending more and more of their time raising money, vote for the poison pills; but if they prefer working on issues important to their constituents, support Shays-Meehan.

If one works for a corporation or a labor union and they like getting hit up for soft money donations again and again, support the status quo; but if they prefer to invest money in their own organization, support Shays-Meehan.

If one is a TV viewer and they like endless streams of deceptive anonymous issue ads in election years, oppose reform; but if one prefers honest and less frequent ads, support Shays-Meehan.

If one is an American and likes their voice being drowned out by special interests, big money, support the DeLay-Doolittle coalition; but if one wants a greater say in how our laws are made, support Shays-Meehan.

I urge approval of the rule, defeat of the poison pill amendments and passage of the underlying legislation.

Mr. DREIER. Mr. Speaker, I yield 1 minute to my friend, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time.

Mr. Speaker, I do rise in support of the rule and I do rise in support of Shays-Meehan and in opposition to the amendments. There has been a lot of fussing over the rule here today. I do not think there is anything unexpected there. That is what the majority of the majority parties wants, to have a certain limited circumstance. I think, in fact, the Committee on Rules and the leadership deserves credit for letting us vote on this at all; and because there has been so much attention paid to it, I think we all know exactly what we have to do on the individual votes under this particular rule so I do not think that is a problem.

I hope that all of us will support it.

I hope everybody will consider very carefully what we are doing here. It should concern every one of us that there are corporations, there are labor unions, there are organizations out there which are contributing to the political parties in soft money a quarter million and more, perhaps something less than that. And if anyone believes they are doing it because they believe in good government, I would tell them to look at the underlying legislation that those groups are interested in.

The bottom line is that I think we need to do something about it. I am for individual contributions. I am for complete disclosure of all contributions and all expenditures which are made. I think we have to limit the special issue groups so that is obviously not in order. And I think Shays-Meehan would do it, and I would encourage all of us to do it.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FORBES).

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

Mr. FORBES. Mr. Speaker, I rise in support of this rule. I think it is clear in this body last year we made it known that a majority of the Members here believe, as the public does, that we have a need for campaign finance reform.

The people have lost faith in the current system, a system that should be of the people, by the people, and for the people. The people wonder actually, does it belong to the people?

The current system really makes it impossible for people who want to give voice to their issues to get into electoral office. They feel shut out. We need Shays-Meehan so that we can restore confidence in our electoral system and make this great democracy even greater.

Today we have a chance to change all of that. We can restore faith in this political system breathing democracy by passing Shays-Meehan. The proposed amendments only cloud the main issue, and the substitutes unfortunately seek to gut it. We need to send a clean bill to the Senate and represent the change that Americans want, starting here in the House.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON), the author of one of the key substitutes.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time.

Mr. Speaker, I rise in support of the rule being offered today. I believe it is fair. It will allow a broad-ranging debate on campaign finance reform. The rule makes in order four major alternatives, one of which is the substitute that I have offered, along with the gentleman from Kansas (Mr. MORAN), the gentleman from Missouri (Mr. HULSHOF), the gentleman from Montana (Mr. HILL), and the gentleman from Texas (Mr. BRADY). It is the Campaign Integrity Act which does three things that I think are very important.

One, it bans soft money to the national parties which is the most significant problem that we have on our scene.

Second, it empowers individuals in our system by increasing the information that is available to them through more disclosure.

Third, it raises the individual contribution limits to prevent the value of the small contributor from being eroded through rising inflation. Ours is the only substitute that does that.

As my colleagues examine which alternative is the right one to support, we should all ask a couple of questions.

First of all, what fixes the most significant problems?

Second, what can realistically get passed in the Senate?

Third, what is consistent with the Constitution?

I believe that is the framework for the debate as we engage in this under the rule.

The Hutchinson–Moran-Hill-Brady-Hulshof substitute accomplishes all three of these objectives. So I believe it is a fair rule that is being offered today.

The question has been raised, does the public support reform? I believe that they do. In fact, I believe the reform is more intense in the body politic in America than it is in this body, because we know the script; we know what is going to happen, and we know the Senate is not going to consider the same bill that they considered the last time.

So I think the public is wiser. They support reform, but they want good reform and they are willing to debate the substance of each proposal.

Alexander Hamilton in Federalist No. 15 said, why has government been instituted at all?

The answer is, because the passions of men will not conform to the dictates of reason and justice without constraint.

I believe that defines the debate on campaign finance reform, that reason and justice demands this type of reform and the rule will support that.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from California (Mr. DREIER) has 9½ minutes remaining; the gentleman from Texas (Mr. FROST), 19½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, if we sweep campaign finance reform under the rug, what legacy will we be leaving our children? Political mistrust, apathy? Or today, will we take a giant step forward in reforming a political system and leaving a system that our children can be proud of?

Enough is enough, Mr. Speaker. The American people want campaign finance reform. They want it now.

The American people are weary of the glaring abuses and outrageous sums of money spent on political campaigns. The American people believe big money is destroying our political systems.

Campaign reform is not a Democratic or Republican problem. It is a Democratic and Republican responsibility.

Mr. Speaker, it is time to come to this House floor and honestly address

campaign finance reform. Let us do it and let us do it once and for all. Let us vote yes on Shays-Meehan. Let us vote no on all poison pill amendments.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time.

Mr. Speaker, I respectfully depart from some of my colleagues here who think that this rule is a fair rule. I suggest that this rule is, in effect, a somewhat hidden attempt to kill the only campaign finance reform proposal that probably has a chance of passing this year. We know that because last year when it was presented, it passed by 252 votes to 179. It had 61 Republicans on it. It was, in fact, a bipartisan effort. This year, instead of showing a willingness to either take a stand and be counted on the issue of banning unregulated soft money donations to parties, of regulating phony issue ads on television, and imposing new fund-raising disclosure rules, some are trying to use the rules, I believe, to obfuscate the issue, take 10 swipes either killing it with a poison pill or killing it by substituting suggestions that are unpalatable to most of the Members of this Congress.

In fact, the New York Times, in an editorial on September 13, I think, justifiably called these junkyard tactics of 1998. It is essentially the same tactics that we saw last year.

This rule, in a good world, would be defeated; but apparently it is going to pass because people fear that without this rule we will have no chance at campaign finance reform at all.

We should have that chance. We should vote for Shays-Meehan without all the other shenanigans.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Speaker, I rise with little enthusiasm for this rule but in great support for the Shays-Meehan proposal.

Mr. Speaker, I have a picture on the wall of my office that I purchased several years ago from a high school art competition in my district. It was produced by Jeff Vogelsberg, a student at that time in Belleville High School. It is a picture of a car made out of money that has lassoed and is towing away the capitol of the United States.

We have a saying in our language, out of the mouths of babes, which really recognizes the pure and perfect insight that children often possess, their ability to get to the nub of the issue; and in fact, Mr. Speaker, this is how our children see us, how the public sees us. Of course, it is the children who will grow up and write the history books of the future.

What do we think they will have to say about us and this Congress? How will history portray us? Will this Congress be portrayed as supporters of a system with integrity and honor, or one of money that is so powerful it can pull the capitol of the United States from its very foundations? Support Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I rise in support of the rule because it is going to present an opportunity to the House of Representatives to vote on the merits of this very important bill that I am a cosponsor of, the Shays-Meehan bill.

It has been suggested earlier, there is not public clamor for us in Congress to take up campaign finance reform, and I think that statement alone really demonstrates what a problem we have here.

The public is leaving it to us to figure out the details on how to rid this system of its excesses. What they want from us, what the public is clamoring for, is simply independent judgment.

□ 1345

They want control over this political process returned to people. They expect us to judge each of the issues that come before us on the merits. If they were exposed to what we are exposed to, the incredible acceleration in the rate of soft money and sham issue ads pouring into the system, overshadowing their individual votes, they would expect us to take up this very bill today. We have to be on guard to defeat the poison pill amendments.

The Shays-Meehan bill is not a bill that favors Democrats or Republicans, it favors ordinary citizens who want their vote to count. We need to defeat the poison pill amendments, we need a straight-up vote on Shays-Meehan, we need to return control of our elections of this Congress to the people of the United States.

Mr. FROST. Mr. Speaker, we reserve the balance of our time.

Mr. DREIER. Mr. Speaker, is the gentleman from Texas prepared to yield back the balance of his time?

Mr. FROST. Mr. Speaker, I would respond to my friend from California by saying that we have additional speakers; however, they are not currently on the floor. We have Members who have requested the opportunity to speak.

Mr. DREIER. How much time is remaining on both sides, Mr. Speaker?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from California (Mr. DREIER) has 9½ minutes remaining, and the gentleman from Texas (Mr. FROST) has 15½ minutes remaining.

Mr. DREIER. Mr. Speaker, does my friend anticipate that he is going to fill that entire 15-minute period?

Mr. FROST. Mr. Speaker, we have requests for that time, but the Members are not currently on the floor. It is our anticipation that we would use the time. We had planned to.

Mr. DREIER. So if I were to move the previous question, would the gentleman yield back the balance of his time?

Mr. FROST. Not at this point, Mr. Speaker, because there are Members who are in transit. There are Members who are coming to the floor who would like to speak.

Mr. DREIER. In light of that, Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. FRANKS).

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

Mr. FRANKS of New Jersey. Mr. Speaker, I rise today in strong support of the rule that will help to deliver comprehensive campaign reform to the American people.

Last session, I was one of the authors of a bill to create an independent commission that would be empowered to make specific proposals that Congress would have been required to act upon. But today, the underlying bill before us combines the best of two approaches: the independent commission and Shays-Meehan.

While the old Shays-Meehan legislation addressed some of the most corrupting elements of our campaign finance system by banning soft money, reforming issue ads and imposing tougher FEC disclosure, it failed to address a variety of other legitimate concerns. But now, with the independent commission having become part of the Shays-Meehan proposal, the bill before us now has an added dimension. The commission created by this legislation will provide a means to address those issues that continue to breed public mistrust in our campaign finance system.

Today, Congress needs to face a harsh reality. Shays-Meehan, which now includes the independent commission, is the only real opportunity to deliver to the American people a campaign finance system that they can trust. I urge my colleagues to strongly support this rule.

Mr. DREIER. Mr. Speaker, as we rapidly use up our time on this side, leaving my friends with 15 minutes on their side, I am happy to yield 1 minute to my good friend, the gentleman from Tennessee (Mr. WAMP).

Mr. FROST. Mr. Speaker, I yield 2 additional minutes to the gentleman from Tennessee (Mr. WAMP).

The SPEAKER pro tempore. The gentleman from Tennessee (Mr. WAMP) is recognized for 3 minutes.

Mr. DREIER. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for helping us out here.

Mr. WAMP. Mr. Speaker, it is great to be loved by both sides here today.

I rise in support of the rule and in great appreciation for the distinguished chairman of the Committee on Rules who I think has been very fair and courteous through this process, and also in great appreciation to the Speaker of the House who is proving to all 435 Members of the House today that he can be trusted to follow through on his word; that we would, in fact, this week in September consider the issue of campaign finance reform

after an overwhelming success last year on basically the same decision, and that is, the underlying text of Shays-Meehan, which we have before us today.

Of the four major alternatives that the gentleman from Arkansas laid out a few minutes ago, three of them truly address systemic campaign reform, that is, the issue of money and influence on the federal process. One of those four alternatives, though, frankly, does not stack up to the level of significant campaign finance reform as the other three. And that one is the Thomas substitute.

Now, the gentleman from California (Mr. THOMAS), the chairman of the Committee on House Administration is a brilliant man in this House; we all know that. He understands all of these issues extremely well, but what he has offered and the Committee on Rules embraced as a substitute really is an amendment, and my colleague, the gentleman from Florida (Mr. DAVIS), and I appeared before the Committee on Rules and asked that that amendment be ruled in order, not as a substitute or an alternative to the other three major provisions, but as an amendment so that it could be attached to our bill, because frankly, there is nothing in it that everybody would not desire as an amendment to any of the three major alternatives. Yet, it was chosen as a substitute.

Now, folks out there do not know what this really means, but what happens here is if it gets more votes than the rest of the bills, it goes forward; the rest stop, dead in their tracks, and therein lies somewhat of a gimmick in this whole process of today.

So there are issues that will be considered as we go through this day, and we are grateful for the opportunity that will not be what they appear on the surface, because people will be voting against things that are perfectly good so that the underlying bill, the Shays-Meehan bill, the bill with momentum, the bill that is the most significant campaign finance reform legislation to move through this Congress since 1974 can be considered on its own merits.

Now, today, as we go through all of this debate, Members are going to look for places to hide. I have seen this; this is my fifth year here. They look for some way to position themselves so that they can say I am for it, but. And the American people should say, the buts must stop now. You are for it, you are going to vote for it, you are going to move it forward. Soft money is the target. There are a lot of details that people will hide behind, but soft money is not defensible in today's environment. It is excessive, onerous, egregious, and should be removed.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to first thank my friend for his complimentary remarks and then to respond to a couple of points that he raised.

First, what he described as somewhat of a gimmick is, in fact, something called regular order. We are proceeding with the regular Rules of the House here. And to describe the Thomas substitute as a measure which should, in fact, be considered as an amendment and not a substitute would be doing a disservice to the chairman of the committee which will be managing this legislation as it moves forward, and in fact, the Thomas substitute was the only substitute that was favorably reported from the Committee on House Administration, so I think it is important for us to just clarify the record. Again, under this regular order procedure, we are allowing the Members the opportunity to consider a wide range of alternatives.

Mr. Speaker, I yield 1½ minutes to the gentleman from Long Beach, California, Mr. HORN.

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

Mr. HORN. Mr. Speaker, I thank the Speaker. Speaker HASTERT told us in March, we will bring it up in September, and here it is September, and it is brought up. He is a person of his word.

I support the rule; I support Shays-Meehan. The question is, ''Do we have the will to get a majority?'' We had it last year; let us get it again this year. Will it stop current practices? Will it stop the auctioning off of the Lincoln bedroom? The greatest scandal in American history was the collection of foreign and domestic money for the 1996 presidential campaign. Shays-Meehan will stop that.

The time is now. Twenty-five years ago well-meaning colleagues thought that Congress was banning soft money. It turns out they were not. They had reform for individual candidates, but they failed when corporate money, union money, and very wealthy individuals' money, could be laundered through party organization committees of both parties and smaller parties. This flow of money was readily welcomed and the parties simply became great Automatic Teller Machines that one can push in at one end and millions of dollars come out at the other end. If we did that as candidates, we would be indicted. The parties are not. They had found a huge loophole. Shays-Meehan will end that.

Mr. Speaker, every right that we have flows to us in the governing of this country. We need to really reaffirm it by doing the right thing. We need to decide now whether our elections will be governed by law or manipulated by loophole. Let us do the right thing. Let us change the law. Let us make sure that people have faith in this institution and the institutions of government generally. If we do not do it, we will continue to see people as doubters about how ethically clean are legislators at the local, State, and the national levels. This is the chance to clean house. Let's do it.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader.

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

Mr. GEPHARDT. Mr. Speaker, I rise today first to congratulate the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for their excellent across-the-aisle, bipartisan work in bringing about this legislation. I might say that I hope that this bipartisan effort that they have put together with lots of Members from both parties is something that we cannot only win with today, but have repeated with other bills: the patients' bill of rights, education. We ought to be able to find a way to work across party lines to get things done for the American people. I want to congratulate both of them vociferously for the hard work that they have done day in and day out to get us to where we are today.

I would also like to recognize the work of our Democratic Blue Dogs and their discharge petition effort which forced the leadership to take our demands for a vote on campaign reform seriously. Because of their work, 202 Members of the House signed the discharge petition, urging the Republican leadership to bring Shays-Meehan to the floor, and we are able to be here today on the floor discussing this because of that discharge petition and the work that was done, again, in a bipartisan way to get this on the floor.

The truth is, some of the Republican leaders have done their best to prevent this issue from coming to the floor, despite the fact that a bipartisan majority of the House wants this vote. And they are still trying to kill reform with poison pill amendments and substitute bills. I hope that does not succeed. I hope the bipartisan majority for good campaign reform prevails.

This is a very simple issue. A vote for Shays-Meehan today is the best way and, in my view, the only way to begin to roll back the influence of wealthy special interests in government. It is the only way to focus the Congress back to the issues that the people I represent care about; to make our politics more responsive to their needs and not simply listening to wealthy special interests.

We have all seen what being bound to big money from special interests has done to our present legislative agenda. Republican leaders put the needs of powerful lobbyists ahead of average families and their needs. They killed gun safety legislation. They have tried to block a real patients' bill of rights, and they have refused to take action to make prescription drugs affordable to every senior.

Instead, they have introduced a tax bill which gives a small minority of wealthy Americans and corporations an $8 billion tax break which threatens the economic growth that is the best I

have seen in my lifetime. We have gone from a government by the people, for the people to a government of lobbyists and special interests.

By passing Shays-Meehan we take the first major step toward restoring the trust of the people in their government, in their House of Representatives, and returning us all to the agenda of ordinary American families.

□ 1400

It is time to begin this process. It is time for Shays-Meehan to be the law of the land. I ask every Member, Republican and Democratic, refuse to vote for the amendments designed to kill this reform, reject the Thomas substitute, which will only distract us from what we are supposed to be doing, and stand up today for Shays-Meehan, for real campaign reform. Return the people's Houses to the people of this great country.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), the ranking member of the committee of jurisdiction.

Mr. HOYER. Mr. Speaker, I rise in opposition to this rule and urge its passage. What did he say? What kind of doublespeak is this? Is he speaking out of both sides of his mouth? I will leave it for the Members to determine, and I will discuss this rule and why I think it ought to be passed, and why I think it is an unfortunate rule in that context.

Mr. Speaker, there is a disease infecting American politics today. That disease is cynicism—cynicism towards our public institutions and our public officials.

The symptoms are plain to see: civic disengagement, voter apathy, detachment, disaffection, and erosion of trust. In my view, this cynicism is inextricably linked to our current campaign finance system.

In the 1996 presidential election cycle, less than one-tenth of 1 percent of Americans contributed the maximum $1,000 per election for any candidate, according to the Advocacy Group on Public Campaigns. Yet, Americans cannot help but be awestruck by the so-called soft money contributions pouring into our politics. In the 1996 election cycle, the two major parties raised $260 million in soft money. The same group predicts this figure will explode to $750 million in this cycle.

Today, Mr. Speaker, we have a rare opportunity to attack this cynicism before it hardens into a more debilitating contempt. We also can show the American people that we indeed can work together in a bipartisan manner.

Just 13 months ago this House overwhelmingly passed the Shays-Meehan campaign finance reform bill, 252 to 179, 61 Republicans, 190 Democrats. There is no reason that we cannot pass this important measure by even a larger margin today.

As we all know, Shays-Meehan would chip away at this cynicism by banning soft money contributions. In addition, it would regulate issue advertising that is clearly aimed at electing or defeating a specific candidate.

While I am hopeful that we will pass Shays-Meehan once again, I am mindful that the path to victory is treacherous. That is because the rule governing today's debate in my view is designed to do one thing only, to kill Shays-Meehan. That is why I said at the beginning that I rise in opposition to this rule but urge its support, because I fear if it goes down, we will not have the opportunity to consider Shays-Meehan.

Here is what the Washington Post said about the 10 amendments made in order by this rule: ''They were written and chosen either to vitiate the Shays-Meehan bill, or to poison it for Democrats who might then take the lead in killing it. Perhaps even worse, this rule pits noncontroversial Federal Election Commission reform, the Thomas substitute, against Shays-Meehan.'' If the Thomas substitute receives more votes than Shays-Meehan, the latter, of course, dies, and we will never even get to vote on it.

The substitute on FEC reform is not nor was it ever intended to be campaign finance reform. I ought to know. The Thomas substitute we will consider under this rule incorporates many of the provisions that I sponsored in H.R. 1818. But make no mistake, FEC reform is not campaign finance reform. FEC reform should have been on a suspension calendar or made as an amendment to Shays-Meehan. It was not. It was not because if it is adopted, it will automatically kill Shays-Meehan.

I urge my colleagues to vote against the Thomas substitute, which I support, but I support Shays-Meehan today, and we can support Thomas tomorrow.

I should note, too, that not one of our four committee hearings this summer, not one, was focused on FEC reform. Frankly, as best I can tell, their only real purpose was to try to discredit Shays-Meehan.

Finally, despite the fact that this is an unfair rule, as I said at the outset, I urge my colleagues to adopt it, to adopt it so that we can consider legislation critical to trying to allay the cynicism of which I have spoken.

Rules, of course, are not always fair, but there is no reason we cannot overcome the obstruction in our path, pass the bipartisan Shays-Meehan bill, and chip away at the cynicism toward American politics that exists today. I urge my colleagues to reject the poison pill amendments, to reject the Thomas substitute so we can adopt it on another day, to leave standing Shays-Meehan, and to vote in a bipartisan, overwhelming fashion to tell the American public that we are in fact, as our leader has said, going to return this House to the people.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

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

Mr. Speaker, I want to put this debate into a little perspective. When the United States became independent, when our Constitution was adopted, there were many skeptics who said that our new system of government would not last, a republican form of government, a democratic form of government. There had been many republics and democracies in the past and in antiquity, in Middle Ages, but they had not lasted. They all, every single one of them, degenerated into oligarchies or autocracies. Skeptics said this new democratic republic would not last, either.

There have been two greatest tests of our democratic system. In the Civil War, because of slavery, Lincoln quite correctly characterized it as a test of whether a government of the people, by the people, and for the people could survive.

Now we face a second great test, the increasing domination of our politics by big money. People are cynical, and rightly so. They believe that their participation, their voices, cannot count against the power of big money, and recent experience says they are right.

We all know the power of the HMOs, the pharmaceutical companies. We watched this Congress pass a $50 billion giveaway to big tobacco companies. We gave away, not sold, not rented, gave away a $70 billion spectrum to the broadcasting companies. Why? Because of the power of big money.

That power has corrupted both major political parties, and if we do not stop it, if we do not take this step, Shays-Meehan is the first step towards shopping it, when the histories are written, they will say the United States had a good 200-, 250-year run with democracy, and then it degenerated into an oligarchy and not a democratic system.

We must begin to stop it now. We must pass Shays-Meehan. We must reject the trickery and the conniving of the Republican leadership in putting all these procedural obstructions in its path. If we want democratic government to survive into the next millenium, this is the time to start saying so today.

Mr. DREIER. Mr. Speaker, I yield 1½ minutes to my very good friend, the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the chairman for yielding time to me, and I thank him, as well as the Speaker, for his fairness in allowing us to bring this to the floor today.

Mr. Speaker, the issue of how we finance our campaigns overshadows and undermines every other issue we debate in this Capitol. It distorts our policy with regard to the national defense of our Nation, it distorts and skews our policy with regard to health care, it distorts and skews our policy with regard to environmental protection.

Reasonable men and women of this Chamber, friends of mine who come to

the floor and argue otherwise, they will argue that when unions or corporations contribute hundreds of thousands of dollars in soft money to the parties, that in fact that has no effect whatsoever on the policy that proceeds from this House.

I do not believe that, but reasonable people can differ. What is clear, though, is that the fact that there is this question before us undermines public confidence in democracy, and the public's confidence in our institutions of democracy is too important, far too important to act in any way but to err on the side of prudence.

Mr. Speaker, the standard for conduct in public office is not simply for public officials to avoid conflicts of interest. It is for us to avoid the appearance of conflicts of interest. Clearly, indisputably, the current system creates at least the appearance of conflict of interest, conflicts of interest between what is in the best interest of the American people and what is in the interest of those who donate such large sums to the parties.

Shays-Meehan allows us to transcend that conflict of interest. I urge its support.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. VENTO).

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

Mr. VENTO. Mr. Speaker, this is a bad rule and a bad deal, but it is the only option we will get in this Republican controlled House.

The effort here is to try and defeat, and if not to defeat to undercut, any positive step to make a downpayment upon true campaign finance reform. The Republican leadership does not want to enact campaign reform. Their transparent behavior and actions speak louder than words, the Republican postponement of the Shays-Meehan bill so it will not likely reform the 2000 election cycle late in this session, and even then to float so many amendments, such wood decoys, as to distract and shoot down true campaign finance reform.

Today, hopefully, the House and the American public, will let them know it's not duck season, will avoid falling into this public relations trap and demand reform which will ensure the empowerment of voters.

Pass Shays-Meehan. Restore credibility. Empower voters, not just the special interests in this cycle. Restore confidence to the American public. Elections are at the core of our democracy. We need to take this step and pay an installment in terms of campaign reform.

Mr. Speaker, today the Majority leadership is trying to turn the old saying, ''If it quacks like a duck, if it walks like a duck, it must be a duck'' on its head. Under that strategy, they hope to put out enough wooden decoys to distract our attention and the attention of the American people. With such waddling around and a cacophony of quacking on campaign reform, they hope that they will be able to distract, to decoy the House from voting for a responsible change in our campaign laws and to avoid public accountability for their actions to block real campaign reform.

Mr. Chairman, that strategy will not work. The Members of this House, are working on a bipartisan basis for positive change within the limits of the Constitution. The American people know that today's system of political campaigns and how we fund them is broken. The American voter also knows that we have to enact meaningful reforms to return our political process to free our political process from the perception and reality of special interest control and empower the public interest as vital to a democracy.

The essence of this debate is returning our political process to the American people; clarifying the election process as inviolate and making certain that the people have a restored sense of control through their participation; making certain that their vote makes a difference. As campaign spending has skyrocketed and campaigns have come to rely more and more on paid media, paid phoners and paid consultants, the growing disillusionment of the American public has been evidenced by declining numbers at the voting booth across the nation. A simple review of the Federal Elections Commission compilation of national voting turnout reflect a steady erosion in turnout over the past 30 years. In 1960, over 63 percent of the U.S. voting age population voted. In the last Presidential election, only 49 percent eligible citizens actually voted. For non-presidential years, the percentage of voting age population who actually voted dropped by an alarming 11 percent.

There is no need to explore in great depth, the causes for voter drop-off. Legions of political scientists have debated this matter in academic circles for over the past decade. And we, the practitioners of politics, also have our own preconceptions of what has brought about the decline in voter turn-out. For too many voters political campaigns have become too slick and too negative. The result, the voter just disengages from political campaigns.

Unfortunately, most of the options before us do nothing or too little to address the totality of this problem. Instead these proposals are new schemes designed to sidetrack this Body; to subvert the goal of campaign finance reform; and to embed in law special advantages and special interest control. In particular, I would like to draw my Colleagues' attention to the amendment to be offered by the Member from Pennsylvania, Mr. GOODLING. This amendment, masquerading as ''campaign reform'', in reality targets one segment of our society, labor unions, and gags them from communicating with the membership. This amendment ignores the fact that unions today are prohibited from using union dues in federal political campaigns and that individuals cannot be forced to pay funds that will be used for political purposes. This Shays Meehan legislation in fact treats unions the same as everyone else by clocking the use of ''soft money'' and closing the ''express advocacy'' loophole. Perhaps that is the problem with this legislation, it is too fair. It treats Democrats and Republicans, labor and business, the NRA lobby and gun safety groups alike. The opponents of this bill would rather have a bill that tilts the process in their direction. The inherent balance of Shays Meehan is the correct way to go, not an approach that gives an advantage to any group.

By approving the Shays-Meehan bill, Congress will be taking the first positive step in campaign finance reforms in decades. This legislation will certainly not eliminate all problems. This bill will not stop negative campaigning. Nor does it bring all campaign spending under control. The Shays-Meehan bill will, hopefully, be the first step in restoring some sanity to our campaign process. By eliminating the infusion of ''soft money'' into campaigns and closing the ''issue advocacy'' loophole, we are taking important positive steps to regain control and public accountability into our political base. This foundation will hopefully lead to further positive legislation to restore the rightful role of the American people in our political process. Critics say it will not work because of the courts or that the only way to go is public financing. The fact remains that this bill addresses serious loopholes and presents a common ground basis to act today.

To restore the role of the people and to return campaigns to a debate on issues, not sound bites, we must defeat the distracting phony decoy ducks that the Republican leadership and other anti-reform groups have floated and pass the Shays-Meehan bill today, as installment payment to restoring voter confidence and credibility to the federal election process now not later.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

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

Mr. Speaker, I feel very strongly about the need to reform the system that finances our elections on political parties. Far too much of the time of this Chamber is devoted to fund-raising. We as Members know it, and so do our constituents. It is not surprising that the current system has led to a serious erosion of public confidence in the democratic process.

Also, we know that all too often the policy has been shaped by campaign contributions. One needs look no further than what we have seen with the tobacco industry over time. The most egregious example I have seen since I have been in Congress was the $50 billion tax break for the cigarette manufacturers slipped into the 1997 tax reform legislation unannounced.

This campaign finance legislation, authored by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), does not just improve our terribly flawed system. More important, it will break a logjam that has prevented reform.

It will show the American people we can deliver something that is good for the political process and good for America. It will help us clean up the political process and make other reforms easier and more likely. It will help us exercise the bipartisan collaborative reform tendencies that can have a huge impact on the people's business in this Congress and beyond.

I urge a rejection of the poison pill amendments, and to pass Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, it is important that campaign finance reform come to the floor and be voted on. For that reason, we will not oppose this rule, even though this is an unfair rule, an unusual rule, and a rule structured by the majority to provide the maximum opportunity for mischief and the maximum opportunity to deny the House a direct vote on Shays-Meehan.

This is not a good rule. This is not a fair rule. But the minority has no choice but to permit the process to go forward and attempt to frustrate the majority's mischief by uniting our side with Members on the other side who want true campaign finance reform.

We will support Shays-Meehan. We reluctantly agree that this rule should go forward so the debate may begin.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

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

Mr. DREIER. Mr. Speaker, I am happy, even though it is reluctant, to have the support of Members of the minority for this rule. But I have to tell the Members that they should be enthusiastically supporting it.

Why? Because it is in fact a very fair and balanced rule. In fact, the degree of fairness is greater than what it was when my friends on the other side gave when they were in the majority.

☐ 1415

This is something called regular order. Now, our regular order, in fact, says that the gentleman from California (Mr. THOMAS), as chairman of the Committee on Administration, has allowed to move forward the one substitute that was reported favorably from his committee and have that considered as a substitute. We have also chosen to make two other substitutes in order.

As I said in my opening remarks, 26 amendments were submitted to the Committee on Rules. Of those, we have made in order 13. One amendment was offered by a Democrat, and that amendment was made in order. So my Democratic colleagues have had every amendment that they submitted to the Committee on Rules made in order under this measure.

So it is a very fair rule. It is what is known as regular order. There is no poison pill involved in here. We are following regular order, which is exactly what Speaker HASTERT said when he stood in this well on the opening day of the 106th Congress. So I urge my colleagues to support the rule.

I will say that I am one who does believe very, very strongly in the importance of the First Amendment to the U.S. Constitution. I think that the gentleman from California (Mr. THOMAS) is right on target in trying to provide a wide array of information to the American people as they look at the prospect of choosing their leaders.

The issue of campaign finance reform is important. It is important for us to make sure that we do everything that we can to protect and nurture that First Amendment to the Constitution. That is the reason that I am supportive of the Doolittle substitute, and I will be supporting the gentleman from California (Mr. THOMAS) in his effort.

I know there has been a lot of talk about what the level of public interest is in this issue, and clearly there are some people who want to spend a lot of time focused on it. I do not think that we should be legislating based solely on what is the highest rated poll item. But I will say this, the issue of campaign finance reform is not quite as important as some of my colleagues have said.

When the gentleman from New York (Mr. NADLER) talked about this being such an important issue, a decisive issue, as we juxtapose it to the Civil War, it seems to me that there are a wide range of important things that have taken place betwixt the Civil War and today, ranking all the way from the Second World War to the civil rights legislation, which was very, very important for our country. As the gentleman from California (Mr. THOMAS) has just reminded me, we had a man who walked on the moon 3 decades ago. So there are lots of things that are important.

We are, because of the level of interest that exists in this body, proceeding with consideration of this campaign finance reform measure under regular order, and I look forward to a free-flowing and stimulating debate.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1059, NATIONAL DEFENSE AUTHORIZATION ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–316) on the resolution (H. Res. 288) waiving points of order against the conference report to accompany the Senate bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1655, DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION AUTHORIZATION ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–317) on the resolution (H. Res. 289) providing for consideration of the bill (H.R. 1655) to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1551, CIVIL AVIATION RESEARCH AND DEVELOPMENT ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–318) on the resolution (H. Res. 290) providing for consideration of the bill (H.R. 1551) to authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to House Resolution 283 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 417.

☐ 1420

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 147) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. HOBSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Florida (Mr. DAVIS) each will control 30 minutes.

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

Mr. DAVIS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be permitted to control 11 minutes of my time and the gentleman from Massachusetts (Mr. MEEHAN) be permitted

to control 9 minutes of my time during the general debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. THOMAS. Mr. Chairman, reserving the right to object, what would then be the time division? The gentleman from Florida (Mr. DAVIS) would remain with how many minutes?

Mr. DAVIS of Florida. Mr. Chairman, that would leave 10 minutes.

Mr. THOMAS. Eleven, nine, and ten.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as we enter into this debate, I do think it is important to listen to ourselves. The chairman of the Committee on Rules made reference to the gentleman from New York (Mr. NADLER) in terms of this particular vote being the most important vote to occur in this society since the Civil War. That statement is just silly. But I am much more concerned about statements made such as, ''The American people believe we have a rigged and corrupt system.'' Or ''Elected officials have been bought and paid for.''

To the degree that those are presented as factual statements, I can assure my colleagues, any evidence that would prove that I would love to have it in my possession. The Federal Election Commission would love to have it. I believe these are basically rhetorical comments about what they believe to be the situation.

Well, I can assure my colleagues, if that is going to be the level of debate, if anybody disagrees with the Shays-Meehan supporters, they are therefore corrupt or that if they believe firmly that substantive differences offered in substitutes are not honestly represented, then I think we are going to have characterized on the floor of the House one of the fundamental problems we have in the area of campaign reform and that is some people believe that what they are advocating is not only perfect, but truth, that simply by positing it, everyone else in the system is somehow less than they are if they do not agree with it.

One of the things I think we need to establish at the beginning of this debate is that people can honestly differ and not be sinister, not be corrupt, not try to rig the system. Frankly, I think the supporters of Shays-Meehan have to get over hurdle number one, and that is go back to the definitive Supreme Court case dealing with this era of campaign reform and explain to many of us why Shays-Meehan is not simply, absolutely, flat-out unconstitutional.

Because back in 1976, the court said, ''We agree that, in order to preserve the provision against invalidation on vagueness grounds, that the Federal Election Campaign Act definition must be construed to apply only to expenditures for communications that in express terms advocate the election or defeat of a clearly identified candidate for Federal office.''

The courts have held to that position consistently. All one has to do is look at some recent cases. Only go back to 1988. Shays-Meehan section 201 is unconstitutional based upon the decision in the Right to Life of Duchess County versus the FEC. Section 206 of Shays-Meehan is patently unconstitutional in the 1999 decision FEC versus the Christian Coalition.

We are going to be talking about money spent in the system, and they are just absolutely concerned about ''soft money.'' Well, then, why do they not focus on the need to change the hard money provisions? Those were set back in the 1970s. This year in Nixon versus Shrink Wrap, in the 8th Circuit Court, overturned Missouri's $1,000 contribution limit as being so low that it impaired free speech.

I think it is fairly ironic that, when we look at this legislation, the question I think we really ought to address is whether or not the supporters of Shays-Meehan have a problem with other Members of the House of Representatives duly elected presenting their position and their constituents' position or whether or not they have a problem with the Supreme Court of the United States that somehow stubbornly believes that the First Amendment requires some degree of privilege; and that rather than follow the slippery slope of it sounds like, it may be, it appears to be, it ought to be campaign speech, the court very rightly bright-lined the test, express advocacy.

My colleagues can shop around it, they can sneak around it, but we will deny people the freedom of speech only if it is express advocacy.

Frankly, in many sections of the Shays-Meehan bill, it tromps all over, it tramps all over people's individual First Amendment freedoms. There is no question that, if this legislation became law, major sections of Shays-Meehan would be declared unconstitutional. We have gone down this route before. Let us not go down it again. Let us talk about passing legislation that can actually become law and begin to make changes.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I do not think the debate here today is about whether the system here is broken. I think, fortunately, that debate is over. This system is broken. This system is rancid. It needs repair.

I do not think the debate here today is about constitutionality. We know, those of us who proudly support Shays-Meehan, that we are about to pass a constitutional bill.

But let me set forth some facts here. In the 1991–1992 election cycle, $86 million in soft money was raised and spent by both political parties. By 1996, that number had exploded to $260 million. In next year's election cycle, it appears that may reach an unprecedented level of $500 to $750 million.

This is a system out of control. This is an example of excess. Control is moving further and further away from people and more and more in the hands of special interests. Those are the facts.

The same problem is developing with respect to the sham issue ads. The argument that we are having to debate here on the floor of the House of Representatives is whether people in this country who have special interests before Congress should have a right to anonymous political advertising. These groups on the right and left are so ashamed of their ads, they are unwilling to put their names on it.

As a result, the voters are disenfranchised because they are misled, they are deceived, they do not know whose voice they are hearing that is telling them how to vote for a particular candidate.

These are the merits we are going to defeat today. We need to defeat amendments like the Doolittle amendment that are designed to gut this bill.

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

Mr. THOMAS. Mr. Chairman, it is my privilege to yield 3½ minutes to the gentleman from Arkansas (Mr. HUTCHINSON) who, from the day that he set foot in this Chamber, has been for responsible campaign reform.

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman from California for yielding me this time, and I thank him for his leadership on this issue, who has been very mainstream and careful about his approach to it.

The gentleman from California (Mr. THOMAS) mentioned the Nixon case in Missouri that it set contribution limits of $1,000, and the 8th Circuit Court of Appeals said that that is too onerous and set that aside. Now that is going to be at the United States Supreme Court level, but it raises a problem.

The Supreme Court has said that contribution limits are constitutional, that it is certainly fair and reasonable for this body to determine that there is an appearance of impropriety or concern about the appearance of corruption and, therefore, we can set contribution limits. But we know that we set those in 1974.

Since then, they have been eroded by inflation to the value is only $300 today. So now the courts are taking a fresh look at this and saying, are those contributions limits constitutional in today's atmosphere and in today's economy?

So I think that it is important that we protect the role of the individual by having contribution limits but at the same time making sure they are indexed for inflation so that they do not continue to erode.

During this debate, we will be offering the Hutchinson substitute sponsored by many of my former freshmen colleagues. In that, we are the only proposal that actually increases the role of the individual by indexing limits to the rate of inflation. I think that is real progress. It will assure the constitutionality of the limits that we place in terms of contributions.

□ 1430

My good friend from Florida (Mr. DAVIS) who has been such an ally in understanding the need for reform, and I agree with him, there is the need for reform in our society; but he mentioned that we should be ashamed of anonymous ads out there.

If we go back to Thomas Payne and ask him about anonymous pamphleteering, he would say that is a basic freedom that we have. We put out information, and I think every group, they should be able to identify who they are and how much money they are spending. I think that is relevant information for the American public. But what is wrong, and this is proposed in the Shays-Meehan bill, is that we go into their contributor list, we go in and say, who gave to you, and restrict how much these groups can raise and where they get their money and make sure they disclose it.

The NAACP challenged this one time and said that we do not want to disclose our contributor list because they could be intimidated, during the civil rights era. The United States Supreme Court said, that is right, we cannot disclose the donors to a group like that.

Let us do not erode that freedom that we have by going in and saying that we want to disclose the contributors to every group that is out there.

So the bill that we are offering that will be in the debate accomplishes the main objectives of banning soft money to the federal parties.

Secondly, it increases information to the public, but it does not trounce upon the Constitution of the United States.

As candidates, we do not like criticism and ads ran against us. But does our discomfort justify restraining the freedom of others? I think the answer is no.

The Hutchinson substitute does not trounce upon the Constitution. It provides strong, reasonable reform that can pass this body, that can go to the Senate and have a better chance of capturing the vote. I believe that is the direction that we should go. I compliment all of my colleagues that have been moving toward reform and showing the American people that we can accomplish this in the United States Congress.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, let me thank, first of all, the author of the bill and the gentleman from Massachusetts (Mr. MEEHAN) for their leadership on this issue.

We dealt with this in the Florida legislature back in 1992. We reduced the amount of money that PACs and individuals could give. And everybody said at that time Armageddon. It will not work.

My colleagues, let me just tell all those listening: the Republican party actually won. They are in control of the House, the Senate, and the Governor's mansion. So our party should not fear this issue. Because I think the voters recognize there is a significant problem in politics today, and it is called money. Money influences politics.

This is not unreasonable. This does not limit free speech. This is not Armageddon, political suicide, unilateral disarmament. I think we are fighting a war rather than a sensible discussion on campaign finance reform.

So I urge all of my colleagues as they are listening today to think about the average individual.

Yes, I have heard from my side of the aisle that people at town hall meetings do not bring up campaign finance reform. Of course they would not. Why would they? They want to know what is happening on crime, education, health care, things that matter to their lives. But if we ask them one stand-alone question, Do you think campaign finance influence politics? they would give us a resounding ''yes.''

Let us fix the system. Shays-Meehan does it. I am proud to support it.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY), a leader in the effort to pass meaningful campaign finance reform.

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support for the bipartisan Shays-Meehan bill.

I would first like to commend the authors of the bill, the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), for their extraordinary consistent leadership. They have worked selflessly along with a bipartisan coalition.

The American people strongly believe that money should play less of a role in American politics, that candidates should be elected on the strength of their ideas and not the depths of their war chests.

Campaign finance reform is not just about one issue. It is about every issue that Congress considers: gun safety, patients' bill of rights, minimum wage. And the American people know it.

Shays-Meehan will significantly reduce the role of special interests and money in American politics. Let us show the American people that our Government is not for sale, that our elections are not auctions to the highest spender. Vote for Shays-Meehan and campaign finance reform.

Mr. THOMAS. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, the gentlewoman from New York (Mrs. MALONEY) talked about campaign war chests. Those are basically hard money. They are, in fact, totally hard money, not soft money. Sometimes we get carried away with our rhetoric. She is referring to something which is not at issue in this bill.

Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER.)

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

Mr. BEREUTER. Mr. Chairman, I thank the gentleman from California (Mr. THOMAS) for yielding me the time.

Mr. Chairman, campaign finance reform is far afield from my committee assignments; but I think I, like every Member of the House, must focus on this issue because it is of fundamental importance to the American political system.

The way that we conduct our affairs here, what we do and what we do not do, is so often related to campaign finance issues. More importantly, I think, much beyond that is the fact that the citizens' perception of the relationship between campaign finance and the way their elected representatives vote and perform is very negative. They have a view that the current campaign finance system causes us to fail to act in their interest.

That is causing a corrosive effect upon our system. We need to deal with it. Both parties know that we need to have campaign finance reform. Neither, however, is willing to give up the particular special advantages that that party has in the current system or process.

Now, back in the last Congress in which I served in the minority, we had, I believe, a very extensive, thorough task force effort to begin to focus on what changes were needed in campaign finance reform. It is the basis of much of the legislation that I have introduced or cosponsored over the years.

Our failure to reduce the disproportionate impact of money in elective politics is, my friends, having a corrosive effect upon the American political process. It contributes to suspicion and skepticism among our citizens. Furthermore, there is more than enough blame to go around for both parties.

I would like to focus just on two elements here. First, I would say, with respect to the Shays-Meehan bill, I think that, unfortunately, the gentleman from California (Mr. THOMAS) is right that some aspects of that legislation are indeed unconstitutional. But what disappoints me about our two colleagues who have introduced this legislation is that they have ignored the action of the House twice now on the subject of campaign contributions from noncitizens and from people that are not U.S. nationals.

This House has expressed itself, saying that the elections, specifically the campaign contributions process leading up to it, should be reserved for citizens and U.S. nationals, like those from American Samoa for example.

When these two distinguished colleagues said they made minor adjustments in the legislation they reintroduced in this Congress, they specifically did not do what the House had instructed them to do by a wide majority vote: restrict contributions to Federal campaigns to U.S. citizens and U.S. voters. And we know that the American people expect that prohibition is or should be law. This is a loophole that became very apparent in the course of the last presidential campaign, and we have a responsibility to deal with that issue.

The charges against the Bereuter-Wicker amendment are not true. I will show in the course of the debates on the Wicker-Bereuter amendment that, in fact, the arguments against it are not valid, or are not procedurally correct.

I also want to say, as a representative from a State that has a low population, that citizens of our State are very disturbed about the fact that in recent elections in our State more than half of the money to elect a U.S. senator has come from outside the State. Indeed, in one of our races, over half the money came in from the State of California. In a recent open-seat election in the State of South Dakota, the most expensive Senate race per capita in history was from that constituency. Indeed the greatest proportion of money came in from other states. This is resented by the citizens of that state. It is not a proper approach. We need to limit the majority of the amount of money coming into House races and Senate races to contributions from citizens of those congressional districts and the respective states.

I urge my colleagues to support the Bereuter-Wicker amendment and the Calvert amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, as I was thinking about campaign finance reform last night, I also thought a little bit about the football game. Just imagine the headlines if teams started contributing to referees based on how that referee called their games. Sports fans everywhere would be absolutely outraged.

But our democracy is in the exact same quandary. Every Member of this chamber knows that millions of dollars can flow in and out of campaigns from soft money sources depending on how we call the game in Congress.

As a result, the family checkbook is playing a smaller role in our democracy. Special interests are gaining more influence than ever over who is in office, what they support, and what types of bills this Congress passes. Frankly, this is not what democracy is all about.

I realize that money and campaigns are impossible to totally separate, but a fair and open campaign finance system can exist if we support the Shays-Meehan campaign finance reform bill. We have the opportunity to do that today. Please do not support the poison pill amendments. Please support the Shays-Meehan campaign finance reform bill.

Mr. SHAYS. Mr. Chairman, may I inquire as to how much time the gentleman from California (Mr. THOMAS) has remaining versus the three that are dividing up the other time.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 17¾ minutes remaining. The gentleman from Florida (Mr. DAVIS) has 7½ minutes remaining. The gentleman from Connecticut (Mr. SHAYS) has 10 minutes remaining. The gentleman from Massachusetts (Mr. MEEHAN) has 8 minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise as a cosponsor and strong supporter of the bipartisan Shays-Meehan campaign finance reform bill.

The American people want us to be honest and fair, to play by the rules. That is why we need to eliminate soft money, which is clearly the biggest cancer on our political system, a cancer that has undermined people's trust in the system and many elected officials.

Soft money is not honest. It is obviously a way to circumvent campaign contribution limits. Soft money raises at least the perception of undue influence on elections and candidates. It is time to ban soft money and erase the suspicion that Washington is for sale to the highest bidder.

Also, Mr. Chairman, the so-called issue advocacy ads in many cases are nothing more than a sham, and we all know it. They are a way to avoid accountability and a way to avoid contribution limits. In short, they do not play by the rules, either.

Let us do the right thing today for the American people. Let us restore trust and accountability in our political process. I urge my colleagues to resist the poison pill amendments and pass the clean Shays-Meehan campaign finance reform bill.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS) who, when she got elected in the last session, the very first bill when she got elected to take the place of her husband in the Congress was a sign-on to the Shays-Meehan bill.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, I congratulate the authors of all the bills before us today. There are some good provisions in the various substitutes being offered, but that is what those bills are, a substitute for the real thing, a substitute for real reform.

Every major reform organization in this country agrees that the Shays-Meehan bill is the one bill which can restore integrity to our campaign finance system. It is the only proposal that deals with the two biggest problems in our federal elections, soft money and sham issue ads.

It is unfortunate that here we are again discussing the merits of Shays-Meehan versus other proposals. A year ago we debated many of these same proposals, and we passed Shays-Meehan by a vote of 252 to 179.

The House has already decided that Shays-Meehan is the bill we want to send to the Senate. None of these substitutes deal with the problem of sham issue ads, which allow powerful interest groups to pour unlimited, unregulated dollars, often from unknown sources, into our campaigns.

□ 1445

These ads clearly advocate the election or defeat of a particular candidate but are not subject to present campaign finance regulations.

Last year, as was mentioned, I endured four grueling elections and watched as wave after wave of attack ads flooded my district under the guise of informing voters. These ads distorted both my record and the record of my opponent.

The Shays-Meehan bill effectively ends the misuse of issue advertising. It does so by requiring all ads which clearly urge the support or defeat of a candidate in a Federal election to be treated like what they are, political ads.

Let us restore the public's trust in our political system. We need to pass the Shays-Meehan bill and send it to the Senate today.

Mr. THOMAS. Mr. Chairman, I yield myself 30 seconds.

I would remind the gentlewoman that the Supreme Court has said that expenditures for communications that in express terms advocate the election or defeat of a clearly identifiable candidate, and that only.

The statement she just made proves that Shays-Meehan is unconstitutional.

Mr. Chairman, I yield 3½ minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman's comments. It also proves that Shays-Meehan is nothing more than incumbent protection.

Mr. Chairman, it continues to amaze me that Members of Congress, newspapers and ''senior scholars'' continue to advocate limiting free speech and prohibiting citizens from criticizing government officials and incumbents in the name of ''campaign reform.''

The first amendment, America's premier political reform, was not written for pornographers or flag burners. It was drafted to allow citizens to petition and criticize their government. But Shays-Meehan would stifle free speech and end criticism of elected officials at critical stages of the election process.

Make no mistake about it. Shays-Meehan guts the first amendment, threatens citizen participation in the political process, and ends the ability of citizen groups to educate the public unless they file bureaucratic paperwork with the Federal Government. All things considered, this is the mother of all government regulation, because it attempts to control the political process and limits freedom just to protect incumbents.

The Shays-Meehan bill will erect a Byzantine set of laws and over 275 new government regulations that will gag citizens' speech. These attacks on issue advocacy through statute and regulation have repeatedly been declared unconstitutional by the Supreme Court and other lower Federal courts. The high Court has always viewed issue advocacy as a form of speech that deserves the very highest degree of protection under the first amendment. That Court has not only been supportive of issue advocacy, it is untroubled by the fact that issue advertisements may influence the outcome of elections.

In Buckley v. Valeo, the Justices stated, and I quote, ''the first amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise.''

The Court continues to state that it is the people, individually and collectively, some people call them special interests, but they are people, they are American citizens, individually and collectively in associations and committees who should retain control of the debate.

Some try to argue that free speech is not an issue here. But the free speech implications of the legislation are very clear. For example, Shays-Meehan supporter and House minority leader Richard Gephardt has said that we cannot have both freedom of speech and healthy campaigns in a healthy democracy.

Mr. Chairman, we must have both. Freedom and reform are not mutually exclusive principles. Shays-Meehan gives us neither. I urge my colleagues to vote ''no'' against Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, my good friends and colleagues seem to have thought that the Supreme Court ended its jurisprudence with Buckley v. Valeo in 1976. Ten years later, the Supreme Court ruled in FEC v. Massachusetts Citizens for Life, and I quote:

> The fact that this message is marginally less direct than ''Vote for Smith'' does not change its essential nature. The Edition goes beyond issue discussion to express electoral advocacy. The disclaimer of endorsement cannot negate this fact. . . . The ''Special Edition'' thus falls squarely within [the law] . . . for it represents express advocacy of the election of particular candidates. . . . 479 U.S. 238, 249–250 (1986).

Even though it did not say the magic words ''Vote for Smith.''

And also as the Supreme Court said 10 years after Buckley v. Valeo, and I quote,

> We have consistently held that restrictions on contributions require less compelling justification than restrictions on independent spending. 479 U.S. 238, 259–260 (1986).

In Shays-Meehan, we have a restriction that contributions raised outside of the $1,000 per person maximum, cannot show up in the funds that go for express advocacy television advertising. It is a restriction on the source of our money. On these two constitutional points, let us not make a mistake referring to Buckley v. Valeo as the last word.

I conclude with these two points. The Supreme Court said you can control contributions much more freely than you can control expenditure. The other side only quotes that it is hard to impose restrictions on expenditure. And, secondly, in FEC v. Massachusetts Citizens for Life, the Supreme Court said, it is the content, the effect, not the magic words. The words kill, the spirit giveth life.

Vote for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I rise today as president of the freshman class and as a strong supporter of the Shays-Meehan campaign finance reform bill.

We need to get back to some common sense and to what folks are thinking back in their homes. When they watch their TV set and they see the unlimited independent expenditures and the so-called issue advocacy ads, when they open their mailbox and vicious propaganda comes spewing out, they know in their hearts that something is desperately wrong with the current system.

If we ask our voters a couple of questions, we know what the answers should be: Do you want your elected representatives to spend more time on the phone begging for dollars or more time with their constituents and studying issues? Do you want unlimited amounts of external money from untraceable sources to influence the outcome of your election or do you want the character and the knowledge and the ability of the candidates in competition to influence the outcome of the election? Do you want the legislative process to be skewed by big dollars or to be determined by the merits of the argument? That is what is at stake here. It is that simple.

Shays-Meehan may not be perfect, but it is pretty darn good, and it is the best we have had coming down the pipe in a long time. The American people know in their hearts it is time to fix this system. As President of the freshman class, I urge my colleagues to support Shays-Meehan.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN), a leader in our effort to pass campaign finance reform.

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

Mr. LEVIN. Mr. Chairman, I read earlier an ad in a Senate race from the State of Washington paid for by the Democratic Party. Now an ad from the Republican Party in Kentucky in a Senate race.

Voice: ''We all know Scotty Baesler voted to export thousands of Kentucky jobs to Mexico, what with that NAFTA trade deal.''

Voice of Mexican actor: ''Muchas gracias, Senor Baesler.''

Voice: ''But he also voted to give China special trade privileges, even though they're shutting out Kentucky-made products.''

In Chinese: ''Thank you, Scotty Baesler.''

''And now he wants,'' the voice says, ''to give U.S. tax dollars to the U.N.''

In a multiple foreign language voice or voices, ''Thank you, Scotty Baesler.''

And then in writing on the screen, ''Tell Scotty Baesler to start putting Kentucky first.''

If it had said ''defeat Scotty Baesler'' it's under Federal regulations. Because that one word is left out, although the whole atmosphere of that ad is a campaign ad, it falls outside of Federal regulations. Express advocacy is the test and that is express advocacy, that ad.

No one is accusing opponents of Shays-Meehan of being corrupt. They are defending a corrupting system. Sure the public does not run up and say to us, ''Vote for Shays-Meehan.'' And one reason is because they are cynical that this Congress will ever act. It is time for us to respond to that cynicism. It is time for us to act. Vote for Shays-Meehan.

Mr. HOYER. Mr. Chairman, I yield 1 minute and 10 seconds to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I rise today in support of this legislation, and I want to extend my special thanks to the gentleman from Massachusetts (Mr. MEEHAN). We came into the Congress together. He has been a great colleague. If we had paid attention to him on campaign finance reform and independent counsel, this country would be in eminently better shape.

The American people want us to pass this. Why? Because they want to believe in their government, in the institution of the Congress. We continue to do less and less on this issue, and their faith in their government, in this institution of the Congress, in this place that is supposed to be the House of the people, they believe in less and less. Why? Because they know that money has more and more and more to do with the decisions that come out of this place.

The House of Representatives can distinguish itself by doing the right thing for the American people. Do we not try to engage our constituents to participate in our campaigns? They are

doing so less and less. They are engaging less and less because they know that money has more and more to do with what goes on here.

Today, this vote can inject more confidence in the system. We should comport ourselves the way our Founding Fathers and Mothers would. Pass this needed legislation.

Mr. SHAYS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Shays-Meehan measure.

Mr. Chairman, this legislation will close the soft money loophole which currently allows unlimited, regulated funds from corporations, labor unions, and wealthy individuals to be funneled into to Federal election campaigns. In addition, it will clarify that it is illegal to raise any money—hard or soft—from foreigners or on government property.

As a member of the Government Reform Committee which has been investigating the alleged campaign abuses of the 1996 Presidential election, it has become obvious that it is the soft money system, the illegal raising of foreign money, and the illegal fundraising on government property that was the source of most of the alleged abuses and the principal device by which our current election laws were evaded.

By supporting Shays-Meehan this Congress can outlaw practices that the White House helped to prefect during the 1996 election cycle to make certain that they never can happen again.

I regret that Congress has been unable to approve or even consider an meaningful campaign reform measure until now, However, I am gratified and I look forward to the consideration of real campaign finance reform.

It is important that we effectively restore public confidence in our political system by eliminating the current protection for special interests, and address the growing problem of ''soft money''.

Accordingly, although I am disappointed that this legislation fails to limit PAC contributions, I support the Shays-Meehan reform measure since it is the only measure that will provide real campaign finance reform by banning soft money and clarifying the illegal fundraising of foreign funds.

Accordingly, I urge my colleagues to support the Shays-Meehan Bill.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding me this time.

Mr. Chairman, we are now at the heart of the substantive debate and the general debate for a bill that makes significant progress to improve the current system. Since 1991, I have either been a candidate for election or reelection to the U.S. House of Representatives and filed the necessary paperwork. All the money that I raise and spend is regulated by the Federal Government. Should we in any way restrict what a candidate who files, who puts their life on the line and their body in the arena, so to speak, should they ever be restricted in what they say, whenever, however or whoever they talk about? Absolutely not. But we are going to talk about today whether or not these outside groups who call themselves citizens for motherhood and apple pie should live under the same rules that I do as a candidate, or that you might as a candidate.

Candidates should be able to speak and groups should be able to speak and we should all come under the same rules so the American people have some accountability to look to on who they are and who is pulling their strings.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Mrs. JOHNSON), a leader in our effort to pass campaign finance reform in a bipartisan way.

□ 1500

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding this time to me.

I rise in strong support of the Shays-Meehan campaign finance reform bill. We need to restore public confidence and accountability to our federal election system, and Shays-Meehan will advance these goals most effectively and forthrightly.

In addition to a ban on soft money, the bill closes one of the biggest loopholes in our current system of campaign finance laws by simply imposing the same rules, the same standards of public reporting, on groups that fund issue ads as we impose on candidates.

In recent elections we have watched special interest money go to campaign issue ads in congressional elections across the country. One study shows that between 275 and 340 million special interest dollars were spent on these ads in the 1997 to 1998 election cycle, yet no citizen could find out who contributed those dollars spent on these ads, though they can find out every dollar, who contributed every dollar to any candidate running in a federal election.

Shays-Meehan will simply clamp down on these special interest dollars, Mr. Chairman, and I urge support for this important election reform.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, the time has come to take the for-sale sign off the door of the United States Congress. The public's trust and confidence in government has been seriously eroded by a system that allows big money to have too much influence on the political process.

Mr. Chairman, we currently have a broken system of campaign finance. There are two ways to give, hard money which honors the intent of the law to limit contributions and disclose the source, and the other way, soft money, which skirts the law and allows unlimited amounts to be given from undisclosed sources. No wonder most Americans no longer believe government to be of, by, and for the people; and the problem is getting worse.

In the 1992 cycle there was $86 million raised in soft money, in 1996 it climbed to $262 million, and in 2000 it is estimated to be $500 million or more; and no one benefits from the corrupting influence of soft money. The donors do not like the constant pressure or the shake-down to donate soft money, the political candidates do not like to be ambushed by soft money, and most importantly, the citizens of this Nation do not like the influence of soft money.

Mr. THOMAS. Mr. Chairman, I yield myself 15 seconds.

I find it amazing that the First Amendment protections are now called a loophole. Perhaps it is a good idea that we are just voting on campaign reform because, if the Bill of Rights was on the floor, I would fear for its continued support.

Mr. Chairman, I yield 4½ minutes to the gentleman from California (Mr. DOOLITTLE), someone who has been an active participant in terms of making sure that the First Amendment is defended.

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

Mr. DOOLITTLE. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I find it fascinating to hear these same canned speeches given again and again identifying the so-called problem as a lack of adequate regulation. These people that are bringing to us today Shays-Meehan, it is these very same people and their philosophy which created this very problem. But for their regulation, we would never have heard of soft money.

Does anyone remember a few years ago? I certainly do because it was an issue in my campaign in 1990 and in 1992. Then the focus of their attack was hard money and the form of PACs, the political action committees, another spawn of the regulation that they gave us. This does not work, and it will never work, and Shays-Meehan is trying to tighten the screws a little further and put more limitations over here and box people in over there, and it will not work.

The Supreme Court recognized that years ago in the Buckley case. I will just quote from it. It said it ''would naively underestimate the ingenuity and resourcefulness of persons and groups desiring to buy influence to believe that they would have much difficulty devising expenditures that skirted the restriction on express advocacy of election or defeat but nevertheless benefited the candidates' campaign.''

The Supreme Court anticipated this very clearly, and obviously the profusion of soft money has fulfilled what they anticipated.

But they did not write the statute, the Congress did. It is their limits on hard dollars that have never been adjusted, that have been eroded by two-

thirds the purchasing power of the dollar that has given rise to soft money.

Furthermore, there is nothing wrong with soft money. It is the constitutional rights of groups to engage in political debate and in free speech. That is not a loophole. But big-government liberals like Senator Bradley, for example, has repeatedly talked about this problem of involvement in the political process as keeping ants out of the kitchen. Do my colleagues know what we do with ants that are in the kitchen? We wipe them out, and that is what Senator Bradley and Vice President GORE and all the other big-government thinkers would like to do to Americans' precious right to engage in unfettered political speech, the very thing the First Amendment was designed to protect.

Congress shall make no law abridging the freedom of speech, and Senator MCCAIN and the gentleman from Connecticut (Mr. SHAYS) and Mr. FINEGOLD and Senator Bradley and a host of others have come forth with bills designed to do exactly that, to abridge our precious, God-given freedom of speech.

It would be a nightmare to pass a law that placed in doubt whatever political communication we had. It would be a complete disaster, such as the Shays-Meehan bill does, to make it in doubt whether what is being said falls within what is permissible because it is subject to a totality test or reasonableness test. Indeed, this will severely crimp political debate at the very time when people most want to get information, and in this information-weary age, when people tune out from politics just about the whole time except just before the election, Shays-Meehan kicks in and severely restricts what kinds of communications can go on.

I would just call to everyone's attention, and I have distributed here a great editorial especially for people who think of themselves as conservatives or Republicans called Campaign Finance Charade. This article details why this whole scheme of regulation is really designed to disadvantage conservative ideas and to advantage left wing ideas. That is what the present regulation we have was designed to do, and it worked great for 20 years.

Mr. Chairman, this is a charade. Big-government regulation does not work anywhere. We know that. And it certainly does not work in campaigns. If it did work, we would not be having this debate today because everything would be fine in this country, and the fact of the matter is it has become a Rube Goldberg network of complication that will only be worse and made more complicated by Shays-Meehan. I urge defeat of that proposal and passage of the one proposal that takes us in the other direction, which is H.R. 1922.

Mr. SHAYS. Mr. Chairman, I yield myself 20 seconds to say that the gentleman from California (Mr. DOOLITTLE) is right. This is about not buying elections. It is about making sure that that cannot happen in a democratic form of government and making sure that everyone plays by the same rules. It does not restrict speech. It provides for all the speech my colleagues want under the campaign laws.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, in 1978 the Supreme Court upheld limits on how much individuals could contribute. In that opinion which has been cited so often, Buckley versus Valeo, the Court also dealt with the $5,000 limit on how much PACs could give; and the court upheld that, too. They said if they did not uphold it, we would have just the possibility of subterfuge, because the same individual could give to the PAC, and then the 1,000 limit would mean nothing.

The Supreme Court in that case cited by the gentleman from Texas (Mr. DELAY), and the other good friends who have spoken against Shays-Meehan, says, ''Rather than undermining freedom of association, the basic provision enhances the opportunity of bona fide groups to participate in the election process. . . .''

So today we go the next step to avoid the evasion of these limits through soft money and through advertisment where the exact same words as in a candidate's ad are said, but they do not exactly say ''vote for.'' Then there is no limit. We must close the loophole. If the Supreme Court upheld the limitation of 1,000 per individual, 5,000 per PAC, and an absolute ban on corporations and unions, surely they would uphold a limitation on as huge an end-run as soft money constitutes.

Mr. MEEHAN. Mr. Chairman, I yield myself 30 seconds.

The previous speaker, the gentleman from California (Mr. DOOLITTLE) talked about Bradley and GORE and all of these government centrists, liberals. Let me cite from an opinion in McIntyre versus Ohio Board of Elections by a couple of real regulators, Justice Scalia and Rehnquist. The First Amendment provides that the Government may not prohibit the expression of an idea. The disclosure law here by contrast forbids the expression of no idea, but merely requires identification of the speaker when the idea is uttered in the electoral context. That is Scalia and Rehnquist.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, for some reason this debate always moves me to use literary reference to illustrate my point. Last Congress I relied on Dr. Seuss and his work, The Cat in the Hat. This year, as I contemplated this upcoming argument, I was struck by the similarities between the continuing debate here in this House on campaign finance reform and a story by Edgar Allen Poe, the Telltale Heart. In that short story, Poe tells of a dastardly murder in which the murderer is undone by the fact that the victim's heart continues to beat after the terrible deed is done and the body has been dismembered and hidden. In this excerpt that I wish to share with my colleagues the murderer is being questioned by the police. Observe his tactics as he tries to shift attention away from his own guilt.

''No doubt I now grew very pale, but I talked more fluently and with a heightened voice. Yet the sound increased. What could I do? I gasped for breath, and yet the officers heard it not. I talked more quickly, more vehemently, but the noise steadily increased. I arose and argued about trifles in a high key and with violent gesticulations, but the noise steadily increased. I paced the floor to and fro with heavy strides as if excited to fury by the observations of the men, but the noise steadily increased. I foamed, I raved, I swore, but it grew louder and louder and louder, and the men chatted pleasantly and smiled. Was it possible they heard not? All mighty God, they have heard, they suspected, they knew.''

Mr. Chairman, opponents of Shays-Meehan have successfully killed this bill in the past, but each time its heart has lived on. This year opponents will try again, but just like in the tell tale heart, no matter how loud the voices grow, no matter how vigorously the arguments are made, the heart of reform will keep beating, and it will condemn those who seek to do it violation.

Mr. THOMAS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I certainly was not a lit major in college, but my recollection of Edgar Allen Poe's The Telltale Heart, was that the heart beating was in his head, that in fact it was a dream, it was a myth. It was not reality, and I think the gentlewoman's point is excellent if, in fact, that is the case that she is making, that in fact there was no true heartbeat. There is no true problem here.

Let me also say that my friend from California (Mr. CAMPBELL) complaining that we use Buckley versus Valeo in the support for soft money just used it for hard money, and I would love to ask the gentleman if the Dow Jones average was about 800 in 1978, and of course it is about 10 times that amount now, would he support an increase in hard dollar amounts?

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

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

Mr. CAMPBELL. Mr. Chairman, I would indeed be pleased to include an increase in hard dollar amounts as part of a comprehensive package that bans soft money. Would the gentleman from California?

Mr. THOMAS. I would tell the gentleman at every opportunity to place that in Shays-Meehan and did not do it. It certainly would be more attractive if it was a fair, even-handed approach to dealing with dollars in the

system instead of what amounts to a choking down of available dollars.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY).

□ 1515

Mr. BRADY of Texas. Mr. Chairman, my mom came to visit over the Labor Day weekend to see our new baby boy, and I told her that in my second term I still pinch myself every day that I have the opportunity to serve in the U.S. House of Representatives. It is such a privilege, but one of my fears is that we are drifting away from a citizen Congress, a citizen Congress that our Founding Fathers and Mothers envisioned for us.

The cost of an open competitive campaign for Congress these days is just a little less than a million dollars, and it is doubling about every 4 years or so.

My fear is that there are a lot of good people in my community who will never raise their hands to run for Congress because they do not have a million dollars. They do not even know where they can find a million dollars laying around. I do not think the very wealthy can make great decisions for us. It is just that for a representative democracy like ours, I do not want to wake up some day and find out that a lot of good people who would make great decisions in Congress cannot ever run because of the cost factor.

I want to return to a citizen Congress. That is why I am a cosponsor with the gentleman from Arkansas (Mr. HUTCHINSON) of the Campaign Integrity Act we are voting on today.

First, common sense tells us new campaign laws will not do a whole lot if we do not first enforce the ones we have on our books. That is why I think the gentleman from California (Mr. THOMAS), the chairman, has a bill today that ought to become the law of the land.

Secondly, any campaign finance ought to preserve free speech. We ought to encourage the people to be involved in this process. This is their country. They ought to be speaking out strongly for it.

So today, I predict that Shays-Meehan will pass by a comfortable margin as it did last year, and I predict that it will die the same predictable public death it did last year in the Senate, for good reasons. It is constitutionally flawed. It will not pass the Senate. It will not pass constitutional muster.

So here is my message to the Senate. When Shays-Meehan dies, as it will again, look at the Hutchinson bill. If we are serious about real reform, if we are serious about closing the soft money loophole, if we are serious about preserving free speech but letting people know more about who is financing us and pushing us back into our districts and communities to raise money rather than up here in Washington, the Hutchinson bill is real reform. It is constitutionally very sound. It makes good sense; and, more importantly, the reason we need to pass that bill is that I am convinced the reason people do not talk about campaign finance more, it does not show up in the polls, is not that people do not want it but they have just given up hope that Congress will do something about it that we will actually do something to make life a little tougher for us up here and a little more grass-roots oriented back home. The Hutchinson bill does that. It is very important for America. I think it is very important to give hope to people to pass this bill.

Mr. HOYER. Mr. Chairman, it is a great honor to yield 1 minute to the distinguished gentleman from the State of Michigan (Mr. DINGELL), the senior Member of the House of Representatives who has had more experience with respect to this issue than any other Member, and cumulatively perhaps more than most of us elected.

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

Mr. DINGELL. Mr. Chairman, I hope my colleagues are listening to the people out there because if there is one thing to be heard, people think that the system is corrupt, that it is being further corrupted by money, that it is being corrupted to the point where Congress will do nothing except profit from this money.

I think it is time we do something. Let us restore the confidence of the American people to government, to this establishment, and to each of us. We are the system, and all of us are being hurt by this system.

I spent, the first election I ran, $19,000. I have spent since then in certain elections over a million dollars. That is far too much. It is unjustifiable. It is unnecessary. It denies deserving, good candidates an opportunity to participate in the system; and, on top of that, it brings a bad smell to the election process of this country.

Just a little while back, we spent something like $85 million in the 1997–1998 election cycle. More recently, we have spent as much as $193 million. This time, we are going to spend $500 million in that. That is a grotesque excess, and it is something which does neither credit nor does it build confidence in us or in the system.

I would urge my colleagues to support Shays-Meehan. It is the way to clean up the system and restore the confidence of the people.

I would also like to thank all of the Members on both sides of the aisle who have put partisanship aside and are truly interested in cleaning up the campaign financing process which has been corrupted, most notably by soft money.

This is not a partisan issue. Our national political party committees raised $193.2 million in soft money during the 1997–1998 election cycle, more than double the $85.3 million they raised during the last non-presidential cycle in 1993–1994. This increase is astounding and there are no signs that this trend will subside unless we act together today to stop this corruption of our election process.

I believe that those of us who benefit from the campaign system can not possibly agree on all the needed reforms. An independent commission must be created to thoroughly review the system and make recommendations to Congress regarding necessary changes. I am pleased to report that Shays-Meehan includes a provisions establishing such a commission.

Shays-Meehan is a good bill; it is a thorough bill; it is a bipartisan bill; and it is a bill that we passed last year and should pass again this year. As such, I urge my colleagues to once again vote in favor of Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. METCALF).

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

Mr. METCALF. Mr. Chairman, we have an opportunity today to pass campaign finance legislation. Shays-Meehan is the real campaign reform that can become law. Unfortunately, some amendments and substitute bills are being offered today by people opposed to Shays-Meehan because they hope that these measures will kill the bill.

We cannot afford to make changes that have the potential to split off key voting blocks and thus sink the only chance for real reform this year.

Soft money is of special concern. By closing the soft money loophole, we restore the faith of our citizens in our political process.

I am confident that we will enact real and honest campaign finance reform today.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER), co-chair of one of our largest centrist caucuses, cochairman of the New Democrats.

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

Mr. ROEMER. Mr. Chairman, one of our preeminent Supreme Court justices wrote that, and I will paraphrase him, that if one does not have access to millionaires or if one is not a millionaire, they might as well not run for political office.

Alexander Hamilton pointed at this great body and said, here, sir, the people govern, the people.

We hear loud and clear from the people today that they think the current system is dominated with dialing for dollars, negative advertising, and polsters.

The Shays-Meehan bill takes some modest steps to clean this system up and restore some of the trust and confidence by looking at and regulating soft money, or sewer money, and slamming the lid on the amount of soft money that comes into campaigns and trying to get some parameters around the issue ads, or the attack and the sham ads, that dominate TV today.

So many of the American people want to turn their TV sets off and not pay any attention to the elections. Vote for Shays-Meehan for responsible and modest campaign finance reform.

Mr. MEEHAN. Mr. Chairman, may I inquire as to how much time each of us has remaining?

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 5¼ minutes. The gentleman from Maryland (Mr. HOYER) has 2¼ minutes. The gentleman from Connecticut (Mr. SHAYS) has 4¼ minutes. The gentleman from Massachusetts has 1½ minutes.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) for yielding me this time.

Mr. Chairman, everybody has a different perspective on this; but one thing that I do know is that there is a very simple break in the track and that is some people here in this body view government as coercive and that if it grows, it will basically destroy freedom.

Other people view that, no, it is not coercive. Leave it alone. Let it grow. It is not going to impact us one way or the other.

I am a conservative. I fall into that first camp, and if someone views the government as coercive, it seems to me logical to say that they would want to limit one's ability to control the leaders of government that would affect its ability to coerce others to do other things. Tamaraz, when asked by Senator THOMPSON, why did you give all the money that you gave, his response was, because it worked.

If we look at Bernard Schwartz, who was brought up with the technology transfer with China, we can see a clear correlation between money spent and results.

So it would seem to me perfect logic to say I am a conservative, I want to limit government, and I want to limit people's ability to pull the levers of government.

We can see this, for instance, again, with the sugar subsidy. If we look at, for instance, the sugar subsidy program, it is a perfect example of how a small group is able to coerce the wheels, the machinery of government, to their own gain because that program takes a billion dollars a year in the form of higher sugar prices for all of us as consumers and it distributes it to about 60 domestic sugar producers.

Mr. THOMAS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), someone who has a very personal message to convey.

Mr. TIAHRT. Mr. Chairman, many Americans believe that our campaigns are too long and too negative. Well, my campaign for the Fourth District of Kansas election in 2000 started today.

Today, the unions, the Washington union bosses, are purchasing television time to run ads against me this very day, almost 15 months out. Too long, too negative, false and misleading ads.

Now, it started with money taken by mandatory union dues and then it filtered its way into the Washington union bosses coffers, their pockets. Then from there it is sent, without the permission of the employees, to support issues that in most cases a majority of the union members oppose.

Thomas Jefferson said to compel a man to furnish contributions of money for the propagations of opinions which he does not believe is sinful and tyrannical; and yet, that is exactly what is happening today.

Campaign ads that are purchased today by the Washington union bosses will not be publicly disclosed. There will be no permission granted from the employees who contributed these funds, and there will be no public record; money taken without consent, spent on issues not reported, without any public disclosure, starting a campaign about 15 months from now.

Well, what is there in this piece of legislation that is before us that is going to prevent such injustice? What is there in Shays-Meehan that is going to correct this problem? There is nothing in here. There is no public disclosure. There are no limits on what these union bosses can say. There is nothing that they can do.

Mr. SHAYS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I would like to ask the gentleman, since it has been against the law since 1947 for union dues money to be used in campaigns and they are able to get around it through two features, one, soft money and sham issue ads, why would the gentleman not want to end those two loopholes?

Mr. TIAHRT. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Kansas.

Mr. TIAHRT. The money that is taken to run these ads comes involuntarily from union dues.

Mr. SHAYS. It is against the law.

Mr. TIAHRT. Well, currently there is a Beck decision which has been supported by the Supreme Court, but it is not enforced by the Clinton administration and yet there is nothing in the legislation of the gentleman that helps us to enforce the Beck decision.

Mr. SHAYS. Mr. Chairman, reclaiming my time, I would say to the gentlemen he is an honest and good man and when he knows the facts, he should be voting for this bill because it has been against the law since 1947 for union dues money to be used in campaigns; 1907, for corporations to be used in campaigns, and both happened because of soft money and sham issue ads.

As soon as a sham issue ad is called a campaign ad, one cannot have either corporate money or union dues money.

Given that, why will the gentleman not support the bill?

Mr. TIAHRT. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Kansas.

Mr. TIAHRT. I would say that these ads have run in the past against me and they will be running very nearly in the future, and I see nothing in the legislation of the gentleman that will prevent them from occurring in the future.

Mr. SHAYS. I would like to reclaim my time and say, the gentleman needs to read the bill. The gentleman needs to read the bill. Read the bill. The bill is very clear. We ban soft money, and we call the sham issue ads what they truly are, campaign ads.

☐ 1530

As soon as we call it a campaign ad, we cannot use union dues money. We cannot use corporation money.

Mr. TIAHRT. Mr. Chairman, this is not corporation money that we are talking about.

Mr. SHAYS. Yes, we are.

I would like to ask the Chairman how much time I have left.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has one and one-quarter minutes remaining.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume to indicate that I find it interesting that the gentleman from Connecticut will not accept language in his bill banning the use of involuntary union members' dues for political purposes, which I think is exactly the point that the gentleman from Kansas is making. Not even allowing an understanding of the fact that one does not have to contribute them and that union dues are being used in that sense.

The gentleman from Kansas I do not believe has had sufficient time to respond, and so I yield 1 minute to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, what the unions have been doing is running under the concept of political education activities, these sham ads, as the gentleman referred to as sham ads. What I think is an injustice is number one, this is money that should not be taken involuntarily. The Beck decision, if it was enforced by this administration, would stop that problem. The gentleman's legislation does not do that.

Mr. SHAYS. Mr. Chairman, the gentleman is not correct.

Mr. TIAHRT. Mr. Chairman, I think that is correct.

The second thing is, somehow I think that we need to have an opportunity for me to respond to this. I cannot do that under current campaign limits. I need the ability to raise the money in order to respond to these ads that are supposedly political education ads, but in truth are running to try to undermine my campaign for reelection.

Mr. SHAYS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 1¼ minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield myself 1 minute.

I just want to explain to the gentleman that it has been against the law since 1907 for corporate treasury money to be used in campaigns and since 1947 for union dues money to be used in

campaigns. The way they do it, the way they go after you, either corporations or unions, is through soft money, because it is not called campaign money, and sham issue ads, because it is not called campaign money. We abolish both. That is the basis, the very center of our bill.

The gentleman wants to give unions permission in their union dues to do it if they agree; we do not even allow it. It has been against the law since 1947. And so, sir, it would be an impossibility for those advertisements to run against the gentleman if our legislation passed, and that is why I am so dumbfounded why the gentleman would oppose it.

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

Mr. THOMAS. Mr. Chairman, I yield myself 1 minute.

There seems to be some confusion. The gentleman from Kansas is talking about union money that is spent for ''political education.'' There is absolutely no limit on the use of forced union dues for registration, turnout, and political education. The advertisements are under the guise of educating union members. It is not a campaign ad; it is unlimited money for political education.

The unions have been allowed since the same 1940s to run a committee on political education, COPE, the political arm of labor unions. In this legislation, COPE is not required to open up its books; it is not required to show where and how its money is spent. The gentleman simply coddles unions at the expense of other people's ability to know where involuntary union dues, coerced by the labor bosses, are being spent.

Mr. Chairman, I yield 30 seconds to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from California for yielding me this time.

If it has been against the law for the unions to do this, they have done it in the past, not only in my district, but across the Nation. If it is against the law, then why today are they purchasing time to run these ads against me which are, in fact, a sham ad. They are under the guise of political education, but they will occur. There is no enforcement of the current law. I do not expect even if your law did pass, there would be any enforcement by this administration, because it does coddle the unions.

I appreciate the gentleman's conversation.

Mr. MEEHAN. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, this is really the crux of the frustration with getting campaign finance reform passed. I respect the gentleman from Kansas, and the gentleman got up and said that we had a Beck decision, which was a court decision that said the unions could not use their union dues to go to political advertisements, and then he criticized the Clinton administration for not enforcing the Beck decision.

Well, guess what? The Shays-Meehan legislation codifies the Beck decision. It puts it into law. So if we think the Clinton administration ought to enforce the Beck decision, then vote for Shays-Meehan, because we codify the legislation.

So I think if Members, with all due respect, would look at this legislation, they would find that this is not Democratic legislation, it is not Republican legislation. It represents both sides sitting down and working together, and that is the reason why the Shays-Meehan legislation codifies the Beck decision, and that is why the gentleman from Kansas should vote for this legislation for fairer elections.

Mr. THOMAS. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, this debate is getting a little bizarre. As the gentleman from Massachusetts well knows, the Beck decision applies to nonunion members, to those who are not members of the union. The whole point is, the coerced union dues are being spent.

I appreciate the gentleman's attempt to obfuscate the issue. It is union members, not nonunion members.

Mr. MEEHAN. Mr. Chairman, I yield myself 10 seconds.

The gentleman from Kansas was talking about those monies that go to people who are part of a union that go to campaigns and they have a right to say, we do not want it to go to those campaigns. That is precisely what it is. The gentleman complained about the Clinton administration not enforcing the Beck decision, but he should vote for Shays-Meehan. Let us make it the law of the land.

Mr. SHAYS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey (Mrs. ROUKEMA).

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I am in strong support of Shays-Meehan and really appreciate this dialogue and this debate that has been going on. I strongly support Shays-Meehan.

Mr. Chairman, the rhetoric of this debate is out of control. Unconstitutional? This bill is not perfect. Let's remember the facts! Soft money is a loophole created to sabotage the constitutional and comprehensive reforms of the post Watergate Nixon Era corruption. Now we can return to reforms. The lack of fundamental change in our campaign finance practice is one of Congress' most significant failings. Clearly, our campaign finance system is out of control. The signs of impending disaster dominate the headlines every day.

But over the next several hours we will hear variations on the same theme from opponents of reform. They will say: "We are not hearing from anyone on this issue. The polls give this issue very low priority. The American people don't care about campaign finance reform.'' That's the refrain we will hear.

I submit that the American people do care. But they've given up on us. Is it any wonder?

They look at the way this system works—the explosion of soft money, fat cats buying access, White House coffees, the Vice-President dialing for dollars, foreign contributions, Members and Senators spending every waking moment raising cash, attack ad piled upon attack ad piled on top of attack ad.

The American people see a rigged system that serves the self-interest of the politicians already in power. They have absolutely no reason to believe that there will ever be any real reform. So to them: what's the use?

Perhaps the most corrosive development has been the explosion of so-called ''soft money''—donations from wealthy corporations, individuals, labor organizations and other groups to the major parties. These funds are raised and spent outside the reach of federal election law and are directly connected to many of the scandalous practices now the focus of numerous Congressional investigations

Of course, there are many critically important issues that we will examine during the course of this debate. The Shays-Meehan proposal addresses many of them—banning contibutions on federal property, an expanded ban on franked mail, the so-called Beck regulations, issue ads, new prohibitions on foreign contributions, et cetera.

But if we do nothing else—let's ban soft money. My colleagues—soft money is at the heart of each and every one of these scandals we see in the headlines today—nights in the Lincoln Bedroom, White House coffees, alleged contributions from the Chinese military to the DNC, and more.

The Shays-Meehan bill is the only substitute amendment that contains a hard ban on soft money.

The American people are disgusted. They are totally turned off and cynical—this cynicism is forcing Americans to drop out of the political process that is our democracy.

Let's ban soft money outright. Support Shays-Meehan.

Mr. THOMAS. Mr. Chairman, could I inquire as to the time remaining.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 35 seconds remaining; the gentleman from Maryland (Mr. HOYER) has 2¼ minutes remaining.

Mr. HOYER. Mr. Chairman, I think it is 2⅓ minutes, frankly.

Mr. THOMAS. Mr. Chairman, I thought I had 45, but that is okay.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 30 seconds remaining; and the gentleman from Massachusetts (Mr. MEEHAN) has 35 seconds remaining.

Mr. THOMAS. Mr. Chairman, I believe under the rule I have the right to close.

The CHAIRMAN. The gentleman from California has the right to close.

Mr. THOMAS. Mr. Chairman, I will reserve my 35 seconds.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding.

In closing this debate, let me just say that the whole debate should be about

restoring the public's faith in our government and their trust. Allowing elections to be bought by the highest bidder will not restore that trust, and certainly raising campaign contribution limits will not restore that trust.

To those who claim that campaigns in this decade cannot be won on just $100, look per contributor, look at what Lawton Chiles did in Florida. He was able to win in keeping within campaign finance spending limits. The law was reformed there, and he won.

Let us bring back the people's trust in our Government. Vote against this amendment. We need limits, not increases in contribution levels.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 35 seconds.

Mr. MEEHAN. Mr. Chairman, opponents of campaign finance reform have told us that we must protect free speech. But when they say free speech, they mean big money, because the fact is that the Shays-Meehan bill does not ban any type of communication. It merely reins in those campaign advertisements that have been masquerading as so-called issue advocacy.

According to the United States Supreme Court, communications that expressly advocate the election or defeat of a clearly identified candidate can be subject to regulation. So the question is not whether the Government should regulate campaign advertisement; it already does. The real question is whether or not the current test adequately identifies campaign advertisement; and for that, there is a simple answer: no, it does not. Let us pass Shays-Meehan.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 30 seconds remaining.

Mr. SHAYS. Mr. Chairman, I yield myself the balance of the time to say one of the difficult things in this debate has been that it is very personal to each and every one of us, but it gets frustrating when the facts are so clear and someone just cannot see it. The bottom line is it is illegal for corporations and unions to contribute to campaigns, except through PACs. But there is a loophole, and it is soft money and sham issue ads. We ban soft money and we call the sham issue ads what they are: campaign ads. As soon as they are campaign ads, out goes the corporate and union dues money and all of the big expenditures.

Mr. Chairman, we need a fair system. We do not limit freedom of speech. Everyone has freedom of speech. We live within the guidelines of the Supreme Court ruling.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 1¾ minutes remaining.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in November 1991, with 259 Republicans and Democrats voting for it, we passed a campaign finance reform bill. It went to the Senate and 57 Senators some days later voted to send that bill to President Bush. That bill limited the amount of money in campaigns. It limited soft money. It provided for campaign finance reform. Unfortunately, that bill was vetoed.

We are now here, some 7 years later, and we have another opportunity to do what the American public expects us to do, to make their elections as honest and open as we possibly can. Is it difficult? Yes. Is it impossible? No. The Shays-Meehan perfect? Obviously not. But it is our best opportunity in this Congress to speak out on behalf of the American public's desire for clean and fair campaigns.

Mr. Chairman, I urge my colleagues to vote for Shays-Meehan, but if we are to pass Shays-Meehan, we must also reject those amendments that will divide us, divide the consensus for this campaign finance reform bill which received just last year 252 votes in favor of it. Reject those substitutes, some on merit, some because they are designed specifically to defeat Shays-Meehan without giving the opportunity of the 435 of us who were sent here by our neighbors to vote on their behalf, to ensure that democracy is pursued in an honest fashion in this, the last best hope on the face of the Earth. I urge my colleagues to vote for Shays-Meehan and against general amendments.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

We just heard a statement that Shays-Meehan is not perfect. Obviously it is not, but we have a chance to perfect it.

We heard during this debate that we thought maybe it would be a good idea to raise hard money, given how long it has not been affected, yet the gentleman from Kentucky (Mr. WHITFIELD), who will have in front of us an amendment to raise hard money, has a letter saying ''vote no on Whitfield'' signed by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN). Are we to believe them on paper or believe their words?

They talked about making sure that labor union money is not involved. The gentleman from Pennsylvania (Mr. GOODLING) has an amendment. They are opposed to his amendment. We heard the gentleman from Nebraska (Mr. BEREUTER) complain about the fact that they did not keep in this bill something that passed the floor the last time this was in front of us in terms of foreign dollars, so now we have a chance to make it perfect, at least better than it is.

We are going through the amendment process. Let us approve the amendments they say they have no opposition to, and vote ''no'' on Shays-Meehan.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to declare my strong support for the Bipartisan ''Shays-Meehan'' Campaign Finance Reform Act of 1999.'' Last year, committed members from both sides of the aisle came together to pass the Shays-Meehan Campaign Finance Reform Act and defeated the many months of complicated parliamentary procedures designed to filibuster the bill.

The fight for campaign finance reform has begun once again. Last session the House approved the Shays-Meehan bill by a resounding 252 to 179 vote with much help from my Republican colleagues. Many of whom still support reform. I urge my Republicans colleagues to join us again in this stride toward a fairer, more just system of financing campaigns.

The purpose of this Shays-Meehan bill is to cut off the flow of unlimited and often undisclosed money into the federal election system. To do that—the Shays-Meehan bill closes the two primary loopholes through which this money flows into federal campaigns, soft money and sham issues.

This Bill makes four major changes to our campaign financing system: (1) It completely eliminates federal soft money, as well as state soft money that influences a federal election and increases the aggregate hard dollar contribution limit form $25,000 to $30,000; (2) it strengthens the definition of ''express advocacy'' to include radio and TV ads that refer to a clearly identified federal candidate, run within 60 days of an election; (3) it requires FEC reports to be filed electronically, and provides for Internet posts of this and other disclosure data and (4) it establishes a Commission to study further reforms to our campaign systems.

According to the Annenberg Public Policy Center at the University of Pennsylvania, between $275 and 340 million was spent in broadcast issue advocacy in 1997–1998, compared to $135 to $150 million in 1995–1996. Mr. Chairman, this statistical information is evidence that Campaign Finance Reform is needed.

Last year a growing number of Campaign Finance Reformist Republicans exercised their better judgement and fought against the Republican Leadership's attempt to thwart attempts to eliminate soft money that influences federal elections. The role of soft money in elections is growing exponentially. So far this year, the parties have raised a record $55.1 million in soft money—that is 80 percent more than the $30.6 million they raised during a comparable period in 1995. I urge my Republican colleagues and others to come forth again in support to strike a balance for real Campaign Finance Reform.

If Congress wants to be remembered for improving our nation's political system, enhancing our moral quality of life, and building a better America, then let's pass real campaign finance reform. Mr. Chairman, fellow colleagues, I urge that you vote No on all the poison pill amendments and vote Yes on the Shays-Meehan bill.

Mr. LEACH. Mr. Chairman, I rise in support of H.R. 417, the Shays/Meehan Bipartisan Campaign Finance Reform Act of 1999.

The bill has flaws, the biggest of which is that it does not go far enough. I would have preferred it impose spending limits and greater restraints on political action committees—the so-called PACs.

Never-the-less, Shays/Meehan is a significant and long overdue effort at addressing the most pressing ''democratic'' issue facing the nation.

In a country where process is our most important product, what is true for sports is doubly so for politics—how the game is played matters.

Lincoln's government of, by and for the people cannot be one in which influence is disproportionately wrought by those with large campaign war chests.

A fitting corollary to Lord Acton's dictum that ''power tends to corrupt and absolute power corrupts absolutely'' is the precept that even more corrupting than aspiring to power is the fear of losing it. This survivalist instinct, the desire to hang on to power, is the principle reason why meaningful campaign finance reform has been so difficult to advance.

The current system is an incumbent-based monopoly that rewards accommodation rather than confrontation with special interests. Campaign reform is about empowering citizens rather than influence peddlers. It is the equivalent of applying the antitrust laws to the political parties.

Without the sort of reforms Shays/Meehan makes, Congress will increasingly become a legislative body where the small businessman, the farmer, the worker, and the ordinary citizen are only secondarily represented.

The time is long passed to infuse more democracy into our democratic system.

Mr. SHOWS. Mr. Chairman, I rise today to express my strong support for the Shays-Meehan Bill, H.R. 417. Mr. Speaker, I rise in support of H.R. 417 and ask unanimous consent to revise and extend my remarks.

Mr. Chairman, we cannot blame the American people for believing that their elected officials might be for sale.

H.R. 417 would restrict the vast amounts of so-called ''soft money'' which allow special interest groups to have unfair influence on our electoral process.

We also need to explore ways to make political campaigns less costly, while still allowing candidates to convey their message.

H.R. 417 would establish an Independent Commission on Campaign Finance Reform, and I hope the commission can recommend ways to reduce the cost of campaigns.

Mr. Chairman, we need to restore public trust in their electoral process. H.R. 417 is the best way I know to accomplish this.

Now I want to address remarks to my colleagues who are Pro-Life advocates and who, like me, support Shays-Meehan.

Much has been made about the strong position taken by the National Right to Life Committee against Shays-Meehan.

The NRLC, like some other issue advocacy groups, believes Shays-Meehan bill would unfairly inhibit their ability to communicate their message.

Pro-Life Members of Congress who support Shays-Meehan have an honest disagreement with NRLC about this bill, but we share common ground with NRLC about the sanctity of human life.

I do not quibble with the National Right to Life Committee's position on Shays-Meehan.

However, the NRLC has chosen to ''score'' our votes on Shays-Meehan.

Simply put, Shays-Meehan is about spending money on political campaigns. It is not about protecting human life.

Defenders of the sanctity of life should be able to have honest disagreements from time to time without losing focus on the goal that unites us.

But this ''apples-to-oranges'' linkage of campaign reform to protecting human life implies to our constituents that we are less than 100% committed to the cause of protecting human life when that is simply not the case.

I want my colleagues and the American people to know the plain truth: My record in support of human life is clear. I am committed 100% to Life, no matter how the NRLC may characterize my record after today's votes on campaign reform.

Indeed, I am proud that my colleagues have recognized my commitment to Life my asking me to serve as Democratic Whip of the Pro-Life Caucus.

Although the National Right to Life Committee disagrees with Pro-Life members of Congress who support Shays-Meehan, I hope we can have a productive relationship with NRLC or anyone else who is willing to fight for Life.

We are all on the same team and we must not let other issues distract us from our goal.

But today, Mr. Chairman, we are talking about restoring public confidence in the American electoral process.

We need to pass Shays-Meehan.

Mr. BENTSEN, Mr. Chairman, I rise today in support of H.R. 417, the Meehan-Shays Bipartisan Campaign Finance Reform Act of 1999. Mr. Speaker, this body has once again been presented with the opportunity to implement significant campaign finance reforms. The American people have grown weary and cynical of the constant money chase we must engage in to run for office. Some try to equate placing restrictions on soft money with placing restrictions on free speech, as if money was speech. Money talks, all right. But how can the quiet voices and concerns of the American people compete with the megaphone of millions in soft money that is funneled into campaigns? I would argue that wealthy individuals, large corporations and advocacy groups do not have a greater right to be heard than average citizens just because they can afford to buy chunks of TV advertising time slots. This soft money is unregulated, unlimited, and unconscionable. We have to show the American people that public policy in not for sale. That's why I support the Meehan-Shays legislation. This legislation will regulate the flow of soft money to both parties and will close the legal loopholes which allow very dubious issue advocacy ads to permeate campaigns.

In addition, the bill provides for the establishment of an Independent Commission on Campaign Finance Reform and will protect the continued use of voter guides as method to inform voters about their Representatives position on important issues. The bill also raises the individual campaign contribution level from $25,000 to $30,000 each year, and raises the amount individuals may give to state political parties from $5,000 to $10,000 each year. Labor unions will be required to give ''reasonable notice'' to dues-paying non-members of their right to disallow political use of their dues. Electronic filing to the Federal Election Committee (FEC) would be required, it is currently optional.

Unfortunately Mr. Chairman, the Majority has decided to ignore the will of the American people who want real campaign finance reform and is attempting to kill this vital legislation by amendment. The amendments and substitutes which we debate today, while well intentioned, will do nothing to reform our campaign finance system. Therefore, I urge my colleagues to oppose all amendments and substitutes to this legislation.

Passage of this bill would represent major progress in halting the influence of wealthy special interests in government.

Mr. FRELINGHUYSEN. Mr. Chairman, to me, one of the privileges of being a Member of the House, is the ability to come here to Washington to do the people's work without losing that all-important connection with the people who sent us here.

While we serve to make all of America a better place, our constituencies are still small enough that we can put our finger on the pulse of the needs and desires of the people back home.

But a lot of those people back home, unfortunately, don't feel as connected to us as they really are, or should be. Like most Americans, our constituents believe that most Members of Congress are bound to special interests because of campaign contributions, large sums of money generated by corporations, labor unions and political action committees, and as an investigation of President Clinton's 1996 campaign fundraising has shown, even foreign nationals.

For most of us, the belief of our constituents may in reality only be a perception, but the perception holds strong and affects all of us. It is high time we do something to erase this perception and implement the first campaign finance reforms America has seen since 1974.

Americans need to be reassured that their elected leaders serve to represent their best interests, not the whims of some special interests. Our constituents must have absolute confidence in the fairness of our political process and loopholes in the current rules must be closed for good.

We can restore credibility and faith in the political process by passing H.R. 417, the Shays-Meehan Bipartisan Campaign Finance Reform Act, of which I am proud to be an original cosponsor.

H.R. 417 makes four major changes to our campaign financing system:

H.R. 417 bans soft money: Shays-Meehan completely eliminates Federal soft money, as well as state soft money that influences a Federal election.

H.R. 417 recognizes sham issue ads for what they really are: campaign ads. Under Shays-Meehan, within 60 days of an election only legal, ''hard'' dollars could be used for radio and TV ads that refer to a clearly identified Federal candidate run; furthermore, any communication, run at any time, that contains unambiguous and unmistakable support for or opposition to a clearly identified Federal candidate must be paid for with ''hard'' dollars.

H.R. 417 improves Federal Election Commission (FEC) disclosure and enforcement. Shays-Meehan requires FEC reports to be filed electronically, and provides for Internet posting of this and other disclosure data.

H.R. 417 establishes a Commission to study further reforms to our campaign finance system.

In addition, Shays-Meehan reforms also clarifies that it is illegal to raise not only hard money—but soft money as well—from foreign nationals or to raise money on government property; expands the ban on unsolicited ''franked'' mass mailings from the current three months before a general election to six months; bans coordinated party contributions

to candidates who spend more than $50,000 in personal funds on their own campaigns; establishes a clearinghouse of information within the FEC and strengthens FEC enforcement as well as the penalties for violating the foreign money ban. Shays-Meehan also clearly exempts educational voter guides.

Mr. Chairman, today both of our political parties are guilty of working in a system that is more ''loophole than law.''

In the words of my friend, the gentleman from Connecticut who continues to be the driving force behind the reform move in the House, ''If we allow the status quo to continue, and stand by as . . . interest groups are shaken down by the political parties, the cherished ideals that bind our national identity—free elections; one person, one vote—become meaningless.''

Mr. Chairman, let us show all Americans that their one vote is not meaningless, and that their active involvement in our political process is more valuable to us than any dollar amount could ever be.

As the New York Times concluded in its editorial yesterday, today ''the House faces a test of its Members' sincerity and of whether it is listening to the public instead of special interest donors.''

Who will we listen to, Mr. Chairman? To me, it's clear. I urge my colleagues to pass H.R. 417.

Mr. PORTMAN. Mr. Chairman, I rise in opposition to the Shays-Meehan legislation. I commend the sponsors for their efforts to clean up our broken campaign finance system, and I believe they are sincere in their efforts.

However, while the Shays-Meehan bill makes some needed changes, it fails to go far enough in addressing what I believe are real problems with our current campaign finance system. Shays-Meehan fails to address the underlying problems of special interest influence, foreign influence and built-in incumbent advantages that plague our current system. Moreover, soft money provision, while well-intentioned, raise serious Constitutional concerns. Most seriously, the bill does nothing to address the problem posed by special interest PACs, which contribute overwhelmingly to incumbents and discourage individuals from getting involved in the political process.

During the last Congress, I introduced campaign finance legislation containing limitations and increased disclosure for soft money, and other key provisions that go further than the Shays-Meehan bill. Among other features, the Restoring Trust in Government Act would have: banned the activities of special interest Political Action Committees (PACs); required 60% of campaign funds to be raided within a House candidate's district or a Senate candidate's state; clearly prohibited contributions by non-citizens; limited the ''bundling'' of campaign contributions; and completely banned taxpayer-financed unsolicited mass mailings by Members of Congress.

I believe these are all common sense changes that deserve consideration in the context of campaign finance reform.

Mr. Chairman, ultimately, I believe is virtually impossible for even the best intentioned incumbent Members of Congress to make truly sensible changes to the campaign finance system that helped them to get elected. That's why I would support the establishment of an independent commission—with a majority of members coming from outside of government—to study the problems of our current campaign financing system and make recommendations for reform within a very specific timeline. These recommendations would then be submitted to Congress for a simple yes or no vote, similar to the way we handled the difficult issue of base closures.

I know commissions have a checkered history in Washington, but they can work if they are given the opportunity. I know from my own experience as co-chairman of the National Commission on Restructuring the IRS, which recommended a successful package of IRS reforms that ultimately passed Congress and were signed into law. I would also add that, if we had taken the step of establishing a nonpartisan campaign finance commission when we had the chance last year, we would be considering a nonpartisan commission's report today, instead of essentially the same Shays-Meehan legislation that failed to pass the Senate last year.

If we're really serious about campaign finance reform, I believe we have no choice but to take it *out* of the political process entirely. I hope, when we next consider campaign finance reform, we will have the courage to support real campaign finance reform that can be enacted into law.

Mr. PAUL. Mr. Chairman, campaign finance reform is once again being painted as the solution to political corruption in Washington. Indeed, political corruption is a problem, but today's reformers hardly offer a solution. The real problem is that government has too much influence over our economy and lives, creating a tremendous incentive to protect one's own interests by 'investing' in politicians. The problem is not a lack of federal laws, or rules regulating campaign spending, therefore more laws won't help. We hardly suffer from too much freedom. Any effort to solve the campaign finance problem with more laws will only make things worse by further undermining the principles of liberty and private property ownership.

The reformers are sincere in their effort to curtail special interest influence on government, but this cannot be done while ignoring the control government has assumed over our lives and economy. Current reforms address only the symptoms while the root cause of the problem is ignored. Since reform efforts involve regulating political speech through control of political money, personal liberty is compromised. Tough enforcement of spending rules will merely drive the influence underground since the stakes are too high and much is to be gained by exerting influence over government—legal or not. The more open and legal campaign expenditures are, with disclosure, the easier it is for voters to know who's buying influence from whom.

There's tremendous incentive for every special interest group to influence government. Every individual, bank or corporation that does business with government invests plenty in influencing government. Lobbyists spend over a hundred million dollars per month trying to influence Congress. Taxpayers dollars are endlessly spent by bureaucrats in their effort to convince Congress to protect their own empires. Government has tremendous influence over the economy, and financial markets through interest rate controls, contracts, regulations, loans, and grants. Corporations and others are 'forced' to participate in the process out of greed as well as self-defense—since that's the way the system works. Equalizing competition and balancing power such as between labor and business is a common practice. As long as this system remains in place, the incentive to buy influence will continue.

Many reformers recognize this and either like the system or believe that it's futile to bring about changes and argue that curtailing influence is the only option left even if it involves compromising the liberty of political speech through regulating political money.

It's naive to believe stricter rules will make a difference. If enough honorable men and women served in Congress and resisted the temptation to be influenced by any special interest group, of course this whole discussion would be unnecessary. Because Members do yield to the pressure, the reformers believe that more rules regulating political speech will solve the problem.

The reformers argue that it's only the fault of those trying to influence government and not the fault of the Members who yield to the pressure or the system that generates the abuse. This allows Members of Congress to avoid assuming responsibility for their own acts and instead places the blame on those who exert pressure on Congress through the political process which is a basic right bestowed on all Americans. The reformer's argument is ''stop us before we succumb to the special interest groups.''

Politicians unable to accept this responsibility clamor for a system that diminishes the need for politicians to persuade individuals and groups to donate money to their campaign. Instead of persuasion they endorse coercing taxpayers to finance campaigns.

This only changes the special interest groups that control government policy. Instead of voluntary groups making their own decisions with their own money, politicians and bureaucrats dictate how political campaigns will be financed. Not only will politicians and bureaucrats gain influence over elections, other nondeservers will benefit. Clearly, incumbents will greatly benefit by more controls over campaign spending—a benefit to which the reformers will never admit.

The media becomes a big winner. Their influence grows as private money is regulated. It becomes more difficult to refute media propaganda,both print and electronic, when directed against a candidate if funds are limited. Campaigns are more likely to reflect the conventional wisdom and candidates will strive to avoid media attacks by accommodating their views.

The wealthy gain a significant edge since it's clear candidates can spend unlimited personal funds in elections. This is a big boost for the independently wealthy candidates over the average challenger who needs to raise and spend large funds to compete.

Celebrities will gain even a greater benefit than they already enjoy. Celebrity status is money in the bank and by limiting the resources to counter-balance this advantage, works against the non-celebrity who might be an issue-oriented challenger.

This current reform effort ignores the legitimate and moral ''political action committees'' that exist only for good reasons and do not ask for any special benefit from government. The immoral ''political action committees'' that work only to rip-off the taxpayers by getting benefits from government may deserve our condemnation but not the heavy hand of government anxious to control this group along

with all the others. The reformers see no difference between the two and are willing to violate all personal liberty. Since more regulating doesn't address the basic problem of influential government, now out of control, neither groups deserves more coercive government rules. All the rules in the world can't prevent members from yielding to political pressure of the groups that donate to their campaigns. Regulation cannot instill character.

Additionally, the legislative debate over campaign finance reform has seemingly focused upon the First Amendment guarantee of freedom of speech, as interpreted and applied by the courts. The constitutional issues, however, are not limited to the First Amendment. To the contrary, pursuant to their oaths of office, members of Congress have an independent duty to determine the constitutionality of legislation before it and to decide, before ever reaching the First Amendment, whether they have been vested by the Constitution with any authority, at all, to regulate federal election campaigns. Congress has no authority except that which is ''granted'' in the Constitution. Thus, the threshold question concerning H.R. 417 is whether the Constitution has conferred upon Congress any authority to regular federal election campaigns. The authority to regulate such campaigns is not found among any enumerated power conferred upon Congress.

More regulation of political speech through control of private money, without addressing the subject of influential government only drives the money underground, further giving a select group an advantage over the honest candidate who only wants smaller government.

True reform is not possible without changing the role of government, which now exists to regulate, tax, subsidize, and show preferential treatment. Only changing the nature of government will eliminate the motive for so many to invest so much in the political process. But we should not make a bad situation worse by passing more bad laws.

Mr. LANTOS. Mr. Chairman, I urge my colleagues to join me in supporting H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999, and to oppose all of the cynical ''poison pill'' amendments that have been introduced to undermine support for this important legislation. H.R. 417 contains a number of essential reforms to our federal system of financial elections in our political system.

Mr. Chairman, I commend our distinguished colleagues, my friend Mr. CHRISTOPHER SHAYS of Connecticut and Mr. MARTIN MEEHAN of Massachusetts, for introducing this extremely important bill.

The most significant provision of the Campaign Finance Reform Act would effectively ban unregulated ''soft money'' from our political process, abolishing once and for all this legal loophole through which hundreds of millions of dollars are poured into our national electoral process every election cycle. Soft money has made a mockery of our existing campaign finance laws, which are permitting big money interests to exert a massively disproportionate influence upon the selection of our nation's president, as well as congressman and senators. This is wrong and it must be stopped.

The Campaign Finance Reform Act would also regulate sham issue ads, which are truly campaign expenditures. The use of such ''issue ads'' is a gaping hole in our election laws. This law would improve the disclosure and enforcement capabilities of the Federal Election Commission, and it would establish an independent commission to study further reforms that may be needed in order to help us make future necessary changes in our campaign finance system.

Mr. Chairman, this same legislation was adopted by the House of Representatives during the 105th Congress with the overwhelming support of the American people. Despite the popular demand for reform, those members who are defending our hopelessly flawed campaign finance system continue to use ''Delay'' and obstruction tactics to undermine the prospects for the passage of H.R. 417. These opponents of comprehensive reform—unfortunately with the backing of the Republican leadership—are sponsoring seven ''poison pill'' amendments to divide the coalition supporting the Bipartisan Campaign Finance Reform Act. I urge my colleagues to reject these transparent gimmicks and to vote to restore American citizens' trust in the ''People's House.'' Our constituents deserve as much.

Mr. Chairman, I submit an editorial from this morning's Washington Post which, I believe, effectively sets forth the strong case for the passage of H.R. 417. I urge all of my colleagues to give attention to this very thoughtful opinion.

[From the Washington Post, Sept. 14, 1999]

YES TO CAMPAIGN FINANCE REFORM

The House has what ought to be an easy vote today—''yes'' on campaign finance reform. The bill the reluctant Republican leadership has finally brought to the floor passed by a vote of 252 to 179 in the last Congress. Most of the same members are back. The need is, if anything, greater; they have no reason to renege.

The modest measure, by Reps. Christopher Shays and Martin Meehan, seeks to halt only the most egregious of the fund-raising abuses that flourished in the last campaign. It would bar the use of the national party organizations to raise and spend, on behalf of their candidates, ''soft that the candidates are forbidden by law to raise and spend themselves.'' It seeks to limit the use of other, nominally independent organizations to raise and spend such money in the form of ''issue ads'' as well.

The leadership, having been forced by threat of a discharge petition to let the bill on the floor, has sprinkled obstacles in its path. Ten amendments will be in order. They were carefully written to sound innocuous while either weakening the bill or poisoning it for Democrats who might then relieve the Republicans of responsibility by taking the lead in voting no. One purports to defend voter guides but, as written, would likely make all issue ads unassailable. One, of dubious constitutionality, would require candidates to raise half their contributions in their home states; its adoption would likely drive Democrats from low-income districts to reject the entire bill. Everyone understands this. The amendments should be voted down, as should the three substitutes that will then also be in order. They too are weaker than the bill. One, by Rep. Bill Thomas, is a deliberate nullity, the theory being that no one will bother to vote against. But if any of these passes, the underlying bill is dead. That too is well understood.

The bill that passed last year was deflected by the Republican leadership in the Senate. This one faces similar resistance. It is a subject that, more than any other, causes hypocrisy to flower. The president, whose flagrant circumvention of the law in 1996 helped prompt the legislation, now takes the lead in supporting it. The Republicans, meanwhile, having spent the better part of the last Congress rightly denouncing his behavior, now block the bill that would outlaw it; they, it turns out, are the ones who profit most from the system they deplore. The parties are raising far more soft money in this cycle than they did in the last. The campaign finance law has pretty well ceased to exist, except on paper. Shays-Meehan would begin to restore it. That's what this vote is about.

Mr. LARSON. Mr. Chairman, I rise today in strong support of the Bipartisan Campaign Reform Act (H.R. 417). First, I would like to commend my colleagues, Representatives CHRISTOPHER SHAYS and MARTIN T. MEEHAN, for the extraordinary amount of hard work they put forth to bring this bill before us today. It is a testament to their diligence and tenacity that they have successfully defeated the obstacles that have been placed in the way of this important legislation.

I believe that it is time to change the nature of today's political campaigns. Working people are losing their voice in the political process, and losing faith in their officials because their vote is being drowned in a sea of negative attack ads. These reforms would tighten the campaign finance laws to keep outside groups from running sham ads, and reduce the impact of obscure, faceless groups and their money on our elections. I believe that this bill is a bipartisan effort to restore faith in our Government, which is why it is one of the first bills I co-sponsored.

I have been in politics for many years and I know that too much money is spent in political campaigns, and real people are losing their voice in elections. We need to bring campaigns back to the basics so that big money influences are put in check, and unregulated ''soft'' money is taken out of politics.

Many people are distrustful of the political process, and rightfully so. They don't vote in elections because major outside groups and parties have too much leverage. This reform bill is a bipartisan effort to restore faith in our Government and open up the political system. This measure aggressively targets the big money in politics and brings campaigns back to the people. These reforms are responsible, logical, and best of all, workable within our current system. Therefore, Mr. Chairman, I urge my colleagues to support the Shays-Meehan bill and vote against the many ''poison-pill'' amendments that have been allowed to be offered today.

Mr. KUCINICH. Mr. Chairman, today, the House of Representatives decides whether elections will continue to be controlled by a wealthy and powerful elite, or whether a significant curb on their hold over the American political process will be put in place.

H.R. 417, the Shays-Meehan Campaign Finance reform bill will help to give elections back to the people by curbing the influence of the moneyed interests.

Do not be fooled by the amendments offered today. They are intended to gut the Shays-Meehan Campaign Finance Reform bill. The rules of today's debate were designed to undermine real campaign finance reform with a series of poor substitutes.

The real test of whether this House supports campaign finance reform or thwarts it is this: we must defeat all substitute amendments and

poison pill amendments, and then we must pass Shays-Meehan.

Mr. SMITH of Michigan. Mr. Chairman, let's concentrate on constituent interests, not special interests.

As the great political reporter Theodore White wrote, ''the flood of money that gushes into politics today is a pollution of democracy.'' I haven't accepted PAC contributions since I first ran for the Michigan state senate in 1982. Although I knew I would always vote the way I felt was right regardless of who donated to my campaign, I also knew that it was equally important that my constituents had no doubts about how much PAC lobbyists might be influencing my decisions.

I have reintroduced my bill from the 105th Congress, the PAC Limitation Act, which would do the following:

Ban PACs from donating to individual Congressional campaigns.

Require that Congressional candidates raise 50% or more of their contributions from individual donors who reside within their district.

Limit how much and how often individuals can make soft money contributions to political party organizations.

Require that TV, radio and cable stations report the placement of issue ads so that there will be full disclosure.

Require labor organizations to obtain the written permission of members before using any dues or fees for political purposes.

Special interests with their organized lobbying and their millions of dollars of PAC persusion money have gained undue influence in Congress. It is time to start dismantling that influence.

This legislation moves the process ahead.

Mr. WU. Mr. Chairman, I rise today to help restore the trust of the American people. I am a cosponsor of H.R. 417, the Bipartisan Campaign Finance Reform Act, and urge my colleagues to pass this legislation today. I also urge my colleagues to reject any and all poison pill amendments intended to destroy the underlying bill.

As a first-time candidate for public office, I saw from a private citizen's perspective the need to reform our country's campaign finance system. I believe very strongly in this issue—we need to overhaul the way that campaigns are financed in America. Shortly after coming to Congress, I signed a letter with many of my freshman colleagues urging swift consideration and passage of the Shays-Meehan legislation. There are numerous cracks in our current campaign finance system, many of which create a complex web that ultimately discourage public participation. I believe that Shays-Meehan will help empower the American people and rebuild some of the trust that has been eroded by our campaign finance process.

While it is not perfect, Shays-Meehan takes important steps toward restoring the public's faith in government. It makes a number of serious reforms to bring more sunshine into the process, including banning soft money contributions and imposing restrictions on so-called ''issue ads.'' Moreover, the Shays-Meehan bill will encourage other important and sensible reforms, such as requiring electronic filing of FEC reports and the disclosure of candidate information in campaign advertisements.

Opponents of the Shays-Meehan legislation believe there should be more special interest money in politics, not less. Opponents also raise objections to individual provisions wholly because they believe parts of H.R. 417 would jeopardize their own individual election or weaken their party. I believe that the time has come to serve the interests of the Americans people, focus on reducing the influence of special interests in our political system, and improve the campaign finance system in our country. Congress belongs to the people.

Unfortunately, in a recent poll, over half of all Americans did not believe Abraham Lincoln's statement that America is a government ''of, by, and for the people.'' Every member of this body should be humbled by this finding, and every member of this body should vote for Shays-Meehan. I urge all my colleagues to vote for the Bipartisan Campaign Finance Reform Act and restore the public trust.

Mr. HORN. Mr. Chairman, in the 1996 presidential campaign, our nation witnessed the most scandalous money chase since the glory days of the big-city bosses and the robber barons. The question we now face is whether we have the will to clean up and toughen our laws or whether we will just accept practices like auctioning off the Lincoln bedroom or allowing foreign governments and corporations to pump money into our political campaigns.

The time for campaign reform is now. I support H.R. 417, the Shays-Meehan legislation for comprehensive reform of our campaign finance laws.

The Shays-Meehan bill bans political parties and Federal officials from raising or spending any so-called ''soft'' money. Congress thought it had banned ''soft money'' decades ago. In our democracy, we must not permit unlimited, unregulated contributions directly from corporations, unions or wealthy individuals. If a candidate took soft money today, that candidate would be indicted. But the loophole is that party committees have become giant money laundromats that collect and cleanse this otherwise-illegal money. Our legislation stops this game.

The bill also ends sham issue-ads. These TV ads rip a candidate to shreds and then ask: ''Let him know what you think.'' Since the ad never explicitly says ''vote against so-and-so'' the current law says these are ''educational issue ads'' and not campaign ads. That is baloney. These ads are purely political and often the most vicious. They should be forced to abide by the same rules that bind every candidate—full disclosure of all contributions. That is what our bill requires.

This is sound and sensible legislation. Let's pass it. Let's send it to the Senate, which must give it the time and attention it deserves this year. Honest campaigns and elections are the most basic safeguard of a democracy. Every right that we have flows from the right to decide who will govern us. We need to decide now whether our elections will be governed by law or manipulated by loophole.

☐ 1545

The CHAIRMAN. All time has expired.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to review an agreement that we have made about the way we proceed with the amendment in the voting.

The CHAIRMAN. The Chair does not understand the gentleman's statement.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to speak out of order for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. MEEHAN. Reserving the right to object, Mr. Chairman, I would ask the gentleman what this is going to be.

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

Mr. MEEHAN. I yield to the gentleman from Massachusetts.

Mr. THOMAS. Mr. Chairman, what I was going to do is inform the House and Members the procedure we are going to be following through the amending process and the substitution process so Members can plan for the rest of the evening.

Mr. MEEHAN. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) is recognized for 1 minute.

Mr. THOMAS. Mr. Chairman, there has been an agreement among us that we are now going into the amendment process to H.R. 417, following general debate. There are 10 amendments. Each is to be considered for 10 minutes.

We have agreed that we will deal with five at a time and then ask for a vote. That would be a 15-minute vote followed by four five-minute votes. Then we would take the second block of five amendments, and then have a vote of 15 and then four 5s. Then we would move through the substitutes. Each of those have 40 minutes, with a vote following each substitute, which would, of course, then require a 15-minute vote for those.

So after five amendments there will be a block of voting, and then at the end of the next five amendments there would be a block of voting.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. HOBSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. KOLBE submitted the following conference report and statement on the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–319)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2490) ''making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $134,034,000.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $43,961,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $30,716,000.

INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $112,207,000.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $23,000,000, to remain available until expended.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $27,818,000, of which not to exceed $1,000,000 shall remain available until September 30, 2002: Provided, That funds appropriated in this account may be used to procure personal services contracts.

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 103–322, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as follows:

(1) As authorized by section 190001(e), $119,000,000; of which $27,920,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including $3,000,000 for administering the Gang Resistance Education and Training program; of which $4,200,000 shall be available to the United States Secret Service for forensic and related support of investigations of missing and exploited children, of which $2,200,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended; of which $61,000,000 shall be available for the United States Customs Service; of which $1,863,000 shall be available for the Financial Crimes Enforcement Network; of which $9,200,000 shall be available to the Federal Law Enforcement Training Center; and of which $14,817,000 shall be available for Interagency Crime and Drug Enforcement.

(2) As authorized by section 32401, $13,000,000 to the Bureau of Alcohol, Tobacco and Firearms for disbursement through grants, cooperative agreements, or contracts to local governments for Gang Resistance Education and Training: Provided, That notwithstanding sections 32401 and 310001, such funds shall be allocated to State and local law enforcement and prevention organizations.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $9,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $84,027,000, of which up to $16,511,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2002: Provided, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: Provided further, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104–32; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Federal Law Enforcement Training Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Federal Law Enforcement Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $21,611,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, $61,083,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $201,320,000, of which not to exceed $10,635,000 shall remain available until September 30, 2002, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 812 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National

Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $15,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $565,959,000, of which $39,000,000 may be used for the Youth Crime Gun Interdiction Initiative; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: Provided, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2000: Provided further, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds in this Act may be used to provide ballistics imaging equipment to any one installation or site of a State or local authority who has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees in writing to the original grantor to return that equipment or to repay that grant or subsidy to the Federal Government: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,050 motor vehicles of which 550 are for replacement only and of which 1,030 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $1,705,364,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research, of which $725,000 shall be provided to a northern plains agricultural economics program in North and/or South Dakota to conduct a research program on the bilateral United States/Canadian bilateral trade of agricultural commodities and products; of which not less than $100,000 shall be available to promote public awareness of the child pornography tipline; of which not less than $200,000 shall be available for Project Alert; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: Provided, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $108,688,000, which shall remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2000 without the prior approval of the Committees on Appropriations.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $182,219,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2000 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at $177,819,000, and in addition, $20,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for tax returns processing; revenue accounting; tax law and account assistance to taxpayers by telephone and correspondence; programs to match information returns and tax returns; management services; rent and utilities; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,312,535,000, of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; issuing technical rulings; examining employee plans and exempt organizations; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,336,838,000, of which not to exceed $1,000,000 shall remain available until September 30, 2002, for research, and of which not to exceed $150,000 shall be for official reception and representation expenses associated with hosting the Inter-American Center of Tax Administration (CIAT) 2000 Conference.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33), $144,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,455,401,000 which shall remain available until September 30, 2001.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and

staff to improve the Internal Revenue Service 1–800 help line service.

SEC. 105. Notwithstanding any other provision of law, no reorganization of the field office structure of the Internal Revenue Service Criminal Investigation Division will result in a reduction of criminal investigators in Wisconsin and South Dakota from the 1996 level.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 777 vehicles for police-type use, of which 739 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $20,000 for official reception and representation expenses; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $667,312,000: Provided, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2001.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $4,923,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2000, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2000 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 116. (a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR EMPLOYEES OF THE OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—During the period from October 1, 1999 through January 1, 2003, the Treasury Inspector General for Tax Administration is authorized to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the plan to establish and reorganize the Office of the Treasury Inspector General for Tax Administration (referred to in this section as the ''Office'').

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by the Office serving under an appointment without time limitation, and has been currently employed by the Office or the Internal Revenue Service or the Office of Inspector General of the Department of the Treasury for a continuous period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system;

(2) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in paragraph (1);

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment by the Federal Government under this section or any other authority and has not repaid such payment;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) any employee who, during the 24-month period preceding the date of separation, has received a recruitment or relocation bonus under 5 U.S.C. 5753 or who, within the 12-month period preceding the date of separation, received a retention allowance under 5 U.S.C. 5754.

(c) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) IN GENERAL.—The Treasury Inspector General for Tax Administration may pay voluntary separation incentive payments under this section to any employee to the extent necessary to organize the Office so as to perform the duties specified in the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105–206).

(2) AMOUNT AND TREATMENT OF PAYMENTS.—A voluntary separation incentive payment—

(A) shall be paid in a lump sum after the employee's separation;

(B) shall be paid from appropriations available for the payment of the basic pay of the employees of the Office;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under 5 U.S.C. 5595(c); or

(ii) an amount determined by the Treasury Inspector General for Tax Administration, not to exceed $25,000;

(D) may not be made except in the case of any qualifying employee who voluntarily separates (whether by retirement or resignation) before January 1, 2003;

(E) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under 5 U.S.C. 5595 based on any other separation.

(d) ADDITIONAL OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the Office shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) DEFINITION.—In paragraph (1), the term ''final basic pay'', with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the United States Government, or who works for any agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based, shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the Office.

(f) EFFECT ON OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION EMPLOYMENT LEVELS.—

(1) INTENDED EFFECT.—Voluntary separations under this section are not intended to necessarily reduce the total number of full-time equivalent positions in the Office.

(2) USE OF VOLUNTARY SEPARATIONS.—The Office may redeploy or use the full-time equivalent positions vacated by voluntary separations under this section to make other positions available to more critical locations or more critical occupations.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. Funds made available by this or any other Act may be used to pay premium pay for protective services authorized by section 3056(a) of title 18, United States Code, without regard to the limitation on the rate of pay payable during a pay period contained in section 5547(c)(2) of title 5, United States Code, except that such premium pay shall not be payable to an employee to the extent that the aggregate of the employee's basic and premium pay for the year would

otherwise exceed the annual equivalent of that limitation. The term premium pay refers to the provisions of law cited in the first sentence of section 5547(a) of title 5, United States Code.

SEC. 119. (a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR EMPLOYEES OF THE CHICAGO FINANCIAL CENTER OF THE FINANCIAL MANAGEMENT SERVICE.—During the period from October 1, 1999, through January 31, 2000, the Commissioner of the Financial Management Service (FMS) of the Department of the Treasury is authorized to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the closure of the Chicago Financial Center (CFC) in a manner which the Commissioner shall deem most efficient, equitable to employees, and cost effective to the Government.

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by FMS at CFC under an appointment without time limitation, and has been so employed continuously for a period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code,or another retirement system;

(2) an employee with a disability on the basis of which such employee is or would be eligible for disability retirement under the retirement systems referred to in paragraph (1) or another retirement system for employees of the Government;

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment from an agency or instrumentality of the Government of the United States under any authority and has not repaid such payment;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) an employee who during the 24-month period preceding the date of separation has received and not repaid a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the 12-month period preceding the date of separation, has received and not repaid a retention allowance under section 5754 of that title.

(c) AGENCY PLAN; APPROVAL.—

(1) The Secretary, Department of the Treasury, prior to obligating any resources for voluntary separation incentive payments, shall submit to the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(2) The agency's plan under paragraph (1) shall include—

(A) the specific positions and functions to be reduced or eliminated;

(B) a proposed coverage for offers of incentives;

(C) the time period during which incentives may be paid;

(D) the number and amounts of voluntary separation incentive payments to be offered; and

(E) a description of how the agency will operate without the eliminated positions and functions.

(3) The Director of the Office of Management and Budget shall review the agency's plan and approve or disapprove such plan, and may make appropriate modifications in the plan including waivers of the reduction in agency employment levels required by this Act.

(d) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) A voluntary separation incentive payment under this Act may be paid by the agency head to an employee only in accordance with the strategic plan under subsection (c).

(2) A voluntary incentive payment—

(A) shall be offered to agency employees on the basis of organizational unit, occupational series or level, geographic location, other nonpersonal factors, or an appropriate combination of such factors;

(B) shall be paid in a lump sum after the employee's separation;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(ii) an amount determined by the agency head, not to exceed $25,000;

(D) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under the provisions of this Act;

(E) shall not be a basis for payment, and shall not be included in the computation of any other type of Government benefit;

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(G) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(e) ELIGIBILITY FOR PAYMENTS.—Payments under this section may be made to any qualifying employee who voluntarily separates, whether by retirement or resignation, between October 1, 1999, and January 31, 2000.

(f) EFFECT ON SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—

(1) An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with any agency or instrumentality of the Government of the United States, or who works for an agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to FMS.

(2) The Director of the Office of Personnel Management may, at the request of the Secretary, Department of the Treasury, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(g) CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, FMS shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final annual basic pay for each employee covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) For the purpose of paragraph (1), the term ''final basic pay'' with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(h) REDUCTION OF AGENCY EMPLOYMENT LEVELS.—

(1) The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this Act. For the purposes of this subsection, positions shall be counted on a full-time equivalent basis.

(2) The President, through the Office of Management and Budget, shall monitor the agency and take any action necessary to ensure that the requirements of this subsection are met.

(3) At the request of the Secretary, Department of the Treasury, the Office of Management and Budget may waive the reduction in total number of funded employee positions required by paragraph (1) if it believes the agency plan required by subsection (c) satisfactorily demonstrates that the positions would better be used to reallocate occupations or reshape the workforce and to produce a more cost-effective result.

This title may be cited as the ''Treasury Department Appropriations Act, 2000''.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $93,436,000, of which $64,436,000 shall not be available for obligation until October 1, 2000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6–day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2000.

This title may be cited as the ''Postal Service Appropriations Act, 2000''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $250,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $52,444,000: Provided, That $10,313,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $9,260,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $810,000, to remain available until expended for required maintenance, safety and health issues, and continued preventative maintenance.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $3,617,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $345,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,840,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $4,032,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $6,997,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $39,198,000, of which $8,806,000 shall be available for a capital investment plan which provides for the continued modernization of the information technology infrastructure.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $63,495,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of division C of Public Law 105–277); not to exceed $8,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $22,951,000, of which $1,100,000 shall be available for policy research and evaluation, of which $1,000,000 shall be available for the National Alliance for Model State Drug Laws, and of which up to $600,000 shall be available for the evaluation of the Drug-Free Communities Act: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office: Provided further, That of the amounts appropriated for salaries and expenses, $125,000 shall be transferred to the General Accounting Office for the sole purpose of entering into a contract with the private sector for a management review of the Office of National Drug Control Policy.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105–277), $29,250,000, which shall remain available until expended, consisting of $16,000,000 for counternarcotics research and development projects, and $13,250,000 for the continued operation of the technology transfer program: Provided, That the $16,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $192,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments at a rate to be determined by the Director: Provided further, That, of this latter amount, $1,800,000 shall be used for auditing services: Provided further, That, hereafter, of the amount appropriated for fiscal year 2000 or any succeeding fiscal year for the High Intensity Drug Trafficking Areas Program, the funds to be obligated or expended during such fiscal year for programs addressing the treatment or prevention of drug use as part of the approved strategy for a designated High Intensity Drug Trafficking Area (HIDTA) shall not be less than the funds obligated or expended for such programs during fiscal year 1999 for each designated HIDTA without the prior approval of the Committees on Appropriations: Provided further, That funds shall be provided for existing High Intensity Drug Trafficking Areas at no less than the total fiscal year 1999 level.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and other purposes, authorized by Public Law 105–277, $216,000,000, to remain available until expended: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That of the funds provided, $185,000,000 shall be to support a national media campaign, as authorized in the Drug-Free Media Campaign Act of 1998: Provided further, That of the amounts provided for the Drug-Free Media Campaign, 10 percent shall not be available for obligation until ONDCP submits a corporate sponsorship plan to the Committees on Appropriations: Provided further, That of the

funds provided, $30,000,000 shall be to continue a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997: Provided further, That of the funds provided, $1,000,000 shall be available to the Director for transfer as grants to State and local agencies or non-profit organizations for the National Drug Court Institute.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

This title may be cited as the ''Executive Office Appropriations Act, 2000''.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92–28, $2,674,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $38,152,000, of which no less than $4,866,500 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $23,828,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING RESCISSION OF FUNDS)

To carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $5,342,416,000, of which: (1) $74,979,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses and associated design and construction services) as follows:

New construction:

Maryland:

Montgomery County, FDA Consolidation, $35,000,000

Michigan:

Sault Sainte Marie, Border Station, $8,263,000

Montana:

Roosville, Border Station, $753,000

Sweetgrass, Border Station, $11,480,000

Texas:

Fort Hancock, Border Station, $277,000

Washington:

Oroville, Border Station, $11,206,000

Nationwide:

Non-prospectus, $8,000,000:

Provided, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings effected in other such projects, but not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2001, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That of the amount provided under this heading in Public Law 104–208, $20,782,000 are rescinded and shall remain in the Fund; (2) $598,674,000 shall remain available until expended for repairs and alterations which includes associated design and construction services, of which $333,000,000 shall be available for basic repairs and alterations: Provided further, That funds made available in any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2001, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects: Provided further, That the General Services Administration is directed to use funds available for Repairs and Alterations to undertake the first construction phase of the project to renovate the Department of the Interior Headquarters Building located in Washington, D.C.; (3) $205,668,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $2,782,186,000 for rental of space which shall remain available until expended; and (5) $1,580,909,000 for building operations which shall remain available until expended, of which $475,000 shall be available for the Plains States De-population Symposium and of which $1,974,000 shall be available until expended for acquisition, lease, construction, and equipping of flexiplace telecommuting centers: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2000, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $5,342,416,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $5,000 for official reception and representation expenses, $116,223,000, of which $12,758,000 shall remain available until expended: Provided, That none of the funds appropriated from this Act shall be available to convert the Old Post Office at 1100 Pennsylvania Avenue in Northwest Washington, D.C., from office use to any other use until a comprehensive plan, which shall include street-level retail use, has been approved by the Senate Committee on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works: Provided further, That no funds from this Act shall be available to acquire by purchase, condemnation, or otherwise the leasehold rights of the existing lease with private parties at the Old Post Office prior to the

approval of the comprehensive plan by the Senate Committee on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $33,317,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $2,241,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2000 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2001 request for United States Courthouse construction that (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5–year construction plan: Provided, That the fiscal year 2001 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104–106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. Funds made available for new construction projects under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'' in Public Law 104–208 shall remain available until expended so long as funds for design or other funds have been obligated in whole or in part prior to September 30, 1999.

SEC. 409. The Federal building located at 220 East Rosser Avenue in Bismarck, North Dakota, is hereby designated as the ''William L. Guy Federal Building, Post Office and United States Courthouse''. Any reference in a law, map, regulation, document, paper or other record of the United States to the Federal building herein referred to shall be deemed to be a reference to the ''William L. Guy Federal Building, Post Office and United States Courthouse''.

SEC. 410. CONVEYANCE OF LAND TO THE COLUMBIA HOSPITAL FOR WOMEN. (a) ADMINISTRATOR OF GENERAL SERVICES.—Upon receipt of written notice and the consideration specified herein from the Columbia Hospital for Women (formerly Columbia Hospital for Women and Lying-In Asylum, located in Washington, District of Columbia; in this section referred to as ''Columbia Hospital''), subject to subsection (f) and such other terms and conditions as the Administrator of General Services (in this section referred to as the ''Administrator'') shall require, the Administrator shall convey to Columbia Hospital, all right, title, and interest of the United States in and to those pieces or parcels of land in the District of Columbia, described in subsection (b), together with all improvements thereon and appurtenances thereto (in this section referred to as ''the Property''). The purchase price for the Property shall be $14,000,000 (not including any accrued interest) to be paid in accordance with the terms set forth in subsection (d). The purpose of this conveyance is to provide hospital, medical and healthcare services and related uses, including but not limited to the expansion by Columbia Hospital of its Ambulatory Care Center, Betty Ford Breast Center, and the Columbia Hospital Center for Teen Health and Reproductive Toxicology Center.

(b) PROPERTY DESCRIPTION.—

(1) IN GENERAL.—The land referred to in subsection (a) was conveyed to the United States of America by deed dated May 2, 1888, from David Fergusson, widower, recorded in liber 1314, folio 102, of the land records of the District of Columbia, and is that portion of square numbered 25 in the city of Washington in the District of Columbia which was not previously conveyed to such hospital by the Act of June 28, 1952 (66 Stat. 287; chapter 486).

(2) PARTICULAR DESCRIPTION.—The Property is more particularly described as square 25, lot 803, or as follows: all that piece or parcel of land situated and lying in the city of Washington in the District of Columbia and known as part of square numbered 25, as laid down and distinguished on the plat or plan of said city as follows: beginning for the same at the northeast corner of the square being the corner formed by the intersection of the west line of Twenty-fourth Street Northwest, with the south line of north M Street Northwest and running thence south with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches, thence running west and parallel with said M Street Northwest for the distance of two hundred and thirty feet six inches and running thence north and parallel with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches to the line of said M Street Northwest and running thence east with the line of said M Street Northwest to the place of beginning two hundred and thirty feet and six inches together with all the improvements, ways, easements, rights, privileges, and appurtenances to the same belonging or in anywise appertaining.

(c) DATE OF CONVEYANCE.—

(1) DATE.—The date of the conveyance of the Property shall be no later than 90 days from the date upon which the Administrator receives from Columbia Hospital written notice of its intent to purchase the Property during which time the parties shall execute all necessary purchase and sale documents, and shall pay the initial cash consideration in an amount at minimum equal to the first of 30 equal annual installment payments of the purchase price as contemplated in subsection (d)(2) hereinbelow.

(2) DEADLINE FOR CONVEYANCE OF THE PROPERTY.—Written notification and payment of the consideration set forth under subsection (c)(1) from Columbia Hospital shall be ineffective, and all rights granted Columbia Hospital under this section to purchase the Property shall lapse, and become void and of no further force and effect, if that written notification and installment payment are not received by the Administrator before the date which is one (1) year after the date of enactment of this section.

(3) QUITCLAIM DEED.—Any conveyance of the Property to Columbia Hospital under this section shall be by quitclaim deed.

(d) CONVEYANCE TERMS.—

(1) IN GENERAL.—The conveyance of the Property shall be consistent with the terms and conditions set forth in this section and such other terms and conditions as the Administrator deems to be in the interest of the United States, including but not limited to—

(A) credit and payment provisions, including the provision for the prepayment of the full purchase price if mutually acceptable to the parties;

(B) restrictions on the use of the Property for the purposes set forth in subsection (a);

(C) conditions under which the Property or interests therein may be sold, mortgaged, assigned, or otherwise conveyed in order to facilitate financing to fulfill its intended use; and

(D) consequences in the event of default by Columbia Hospital for failing to pay all installments payments toward the total purchase price when due, including reversion of the described property to the United States.

(2) PAYMENT OF PURCHASE PRICE.—Columbia Hospital shall pay the total purchase price of $14,000,000.00 for the Property. The terms and conditions of the sale shall be as deemed by the Administrator to be in the best interests of the United States. Such terms may include financing the payment of the purchase price in annual installments for a term not to exceed thirty years with interest on the unpaid balance not to exceed four and five-tenths percent (4.5%) per annum (except during periods of default or upon entry of a final judgment amount).

(3) The Administrator shall have full authority to administer the credit granted to Columbia Hospital in accordance with this section including, without limitation, the authority to adjust, settle, or compromise the amounts specified in this section or in the documents of conveyance.

(4) EXECUTION OF DOCUMENTS.—The Columbia Hospital shall execute and provide to the Administrator such written instruments including but not limited to contracts for purchase and sale, notes, mortgages, deeds of trust, restrictive covenants, indenture deeds, and assurances as the Administrator may reasonably request to effect this transaction and to protect the interests of the United States under this section.

(e) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the United States as payments under this section shall be paid into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)), and may be expended by the Administrator for real property management and related activities not otherwise provided for, without further authorization.

(f) REVERSIONARY INTEREST.—

(1) IN GENERAL.—The Property, once conveyed as authorized under subsection (a), shall revert to the United States, together with any improvements thereon—

(A) One (1) year from the date on which Columbia Hospital defaults in paying to the United States any amount when due; or

(B) immediately, upon any attempt by Columbia Hospital to assign, sell, mortgage, or convey the Property without the Administrator's prior written consent before the United States has received full purchase price, plus accrued interest.

(2) RELEASE OF REVERSIONARY INTEREST.—The Administrator may release, upon request, any restriction imposed on the use of the Property authorized in subsection (d)(1)(B) for the purposes set forth in subsection (a), and release any reversionary interest of the United States in the Property upon receipt by the United States of full payment of the purchase price, including any accrued interest, specified under subsection (d)(2), or such other terms and conditions as may be determined by the Administrator to be in the best interests of the United States as set forth in subsection (d).

(3) PROPERTY RETURNED TO THE GENERAL SERVICES ADMINISTRATION.—Any portion of the Property that reverts to the United States under this subsection shall be under the jurisdiction, custody and control of the General Services Administration and shall be available for use or disposition by the Administrator in accordance with applicable Federal law.

SEC. 411. VOLUNTARY SEPARATION INCENTIVE PAYMENT FOR EMPLOYEES OF THE GENERAL SERVICES ADMINISTRATION. (a) AUTHORITY.—During the period October 1, 1999, through April 30, 2001, the Administrator of General Services is authorized to offer a voluntary separation incentive in order to provide the necessary flexibility to carry out the closing of the Federal Supply Service distribution centers, forward supply points, and associated programs in a manner which the Administrator shall deem most efficient, equitable to all employees, and cost effective for the Government.

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by GSA under an appointment without time limitation, and has been so employed continuously for a period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of Chapter 83 or Chapter 84 of title 5, United States Code, or another retirement system;

(2) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the retirement systems referred to in paragraph (1) or another retirement system for employees of the Government;

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment from an agency or instrumentality of the Government of the United States under any authority;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) an employee who during the 24 month period preceding the date of separation, has received a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the twelve month period preceding the date of separation, has received and not repaid a retention allowance under section 5754 of that title.

(c) AGENCY STRATEGIC PLAN.—The Administrator of General Services, prior to obligating any resources for voluntary separation incentive payments, shall submit to the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(1) The agency's plan shall include:

(A) the specific positions and functions to be reduced or eliminated;

(B) a proposed coverage for offers of incentives;

(C) the time period during which incentives may be paid;

(D) the number and amounts of voluntary separation incentive payments to be offered; and

(E) a description of how the agency will operate without the eliminated positions and functions.

(2) The Director of the Office of Management and Budget shall review the agency's plan and approve or disapprove such plan, and may make any appropriate modifications in the plan.

(d) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) The agency head may pay a voluntary separation incentive payment under this section to an employee only in accordance with the strategic plan under subsection (c).

(2) A voluntary separation incentive payment—

(A) shall be offered to agency employees on the basis of organizational unit, occupational series or level, geographic location, other nonpersonal factors, or an appropriate combination of such factors;

(B) shall be paid in a lump sum after the employee's separation;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code; if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(ii) an amount determined by the agency head, not to exceed $25,000.

(D) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under the provisions of this section;

(E) shall not be a basis for payment, and shall not be included in the computation of any other type of Government benefit;

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(G) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(e) ELIGIBILITY FOR PAYMENTS.—Payments under this section may be made to any qualifying employee who voluntarily separates, whether by retirement or resignation, between October 1, 1999 through April 30, 2001.

(f) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—

(1) An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the Government of the United States within five years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the agency that paid the incentive payment.

(2)(A) If the employment under this subsection is with an Executive agency (as defined by section 105 of title 5, United States Code, but excluding the General Accounting Office), the United States Postal Service, or the Postal Rate Commission, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(B) If the employment under this subsection is with an entity in the Legislative Branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(C) If the employment under this subsection is with the Judicial Branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(D) Employment under a personal services contract with the Government of the United States shall be included in the term ''employment'' with respect to paragraph (1), but shall be excluded with respect to paragraph (2).

(g) CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the General Services Administration shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final annual basic pay for each employee covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) For the purpose of paragraph (1), the term ''final basic pay'' with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(h) REDUCTION OF AGENCY EMPLOYMENT LEVELS.—

(1) The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this section. For the purposes of this subsection positions shall be counted on a full-time equivalent basis.

(2) The Director of the Office of Management and Budget shall monitor the agency and take any action necessary to ensure that the requirement of this subsection is met.

(3) At the request of the Administrator of General Services, the Office of Management and Budget may waive the application of paragraph (1) if he or she determines that the plan required by subsection (c) satisfactorily demonstrates downsizing or other restructuring within GSA that would produce a cost-effective result.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $27,586,000 together with not to exceed $2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Trust Fund, to be available for the purposes of Public Law 102–252, $2,000,000, to remain available until expended.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,250,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $180,398,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $22,418,000, to remain available until expended.

RECORDS CENTER REVOLVING FUND

(a) ESTABLISHMENT OF FUND.—There is hereby established in the Treasury a revolving fund to be available for expenses and equipment necessary to provide for storage and related services for all temporary and pre-archival Federal records, which are to be stored or stored at Federal National and Regional Records Centers by agencies and other instrumentalities of the Federal Government. The Fund shall be available without fiscal year limitation for expenses necessary for operation of these activities.

(b) START-UP CAPITAL.—

(1) There is appropriated $22,000,000 as initial capitalization of the Fund.

(2) In addition, the initial capital of the Fund shall include the fair and reasonable value at the Fund's inception of the inventories, equipment, receivables, and other assets, less the liabilities, transferred to the Fund. The Archivist of the United States is authorized to accept inventories, equipment, receivables and other assets from other Federal entities that were used to provide for storage and related services for temporary and pre-archival Federal records.

(c) USER CHARGES.—The Fund shall be credited with user charges received from other Federal Government accounts as payment for providing personnel, storage, materials, supplies, equipment, and services as authorized by subsection (a). Such payments may be made in advance or by way of reimbursement. The rates charged will return in full the expenses of operation, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment and shelving, and amortization of information technology software and systems.

(d) FUNDS RETURNED TO MISCELLANEOUS RECEIPTS OF THE DEPARTMENT OF THE TREASURY.—

(1) In addition to funds appropriated to and assets transferred to the Fund in subsection (b), an amount not to exceed 4 percent of the total annual income may be retained in the Fund as an operating reserve or for the replacement or acquisition of capital equipment, including shelving, and the improvement and implementation of the financial management, information technology, and other support systems of the National Archives and Records Administration.

(2) Funds in excess of the 4 percent at the close of each fiscal year shall be returned to the Treasury of the United States as miscellaneous receipts.

(e) REPORTING REQUIREMENT.—The National Archives and Records Administration shall provide quarterly reports to the Committees on Appropriations and Governmental Affairs of the Senate, and the Committees on Appropriations and Government Reform of the House of Representatives on the operation of the Records Center Revolving Fund.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $6,250,000, to remain available until expended: Provided, That of the funds appropriated under this heading in Public Law 105–277, $2,000,000 are rescinded: Provided further, That the Treasury and General Government Appropriations Act, 1999 (as contained in division A, section 101(h), of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended in Title IV, under the heading ''National Historical Publications and Records Commission, Grants Program'' by striking the proviso.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $9,114,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $90,584,000; and in addition $95,486,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $4,000,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B) and 8909(g) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2000, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $960,000; and in addition, not to exceed $9,645,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles, $9,740,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $35,179,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the ''Independent Agencies Appropriations Act, 2000''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 2000 for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2000 from appropriations made available for salaries and expenses for fiscal year 2000 in this Act, shall remain available through September 30, 2001, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. Notwithstanding section 515 of Public Law 104–208, 50 percent of the unobligated balances available to the White House Office, Salaries and Expenses appropriations in fiscal year 1997, shall remain available through September 30, 2000, for the purposes of satisfying the conditions of section 515 of the Treasury and General Government Appropriations Act, 1999.

SEC. 514. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 515. INVENTORY OF FEDERAL GRANT PROGRAMS. The Director of the Office of Management and Budget shall prepare an inventory of existing Federal grant programs after consulting each agency that administers Federal grant programs including formula funds, competitive grant funds, block grant funds, and direct payments. The inventory shall include the name of the program, a copy of relevant statutory and regulatory guidelines, the funding level in fiscal year 1999, a list of the eligibility criteria both statutory and regulatory, and a copy of the application form. The Director shall submit the inventory no later than six months after enactment to the Committees on Appropriations and relevant authorizing committees.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2000 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2000, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 614 of the Treasury and General Government Appropriations Act, 1999, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2000, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 614; and

(2) during the period consisting of the remainder of fiscal year 2000, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2000 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2000 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1999 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1999, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1999, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 1999.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2000 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2000 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: Provided, That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designees, persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 620. None of the funds appropriated in this or any other Act shall be used to acquire information technologies which do not comply with part 39.106 (Year 2000 compliance) of the Federal Acquisition Regulation, unless an agency's Chief Information Officer determines that noncompliance with part 39.106 is necessary to the function and operation of the requesting agency or the acquisition is required by a signed contract with the agency in effect before the date of enactment of this Act. Any waiver granted by the Chief Information Officer shall be reported to the Office of Management and Budget, and copies shall be provided to Congress.

SEC. 621. None of the funds made available in this Act for the United States Customs Service may be used to allow the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 622. No part of any appropriation contained in this or any other Act shall be available

for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 623. Section 627(b) of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of Public Law 105–277) is amended by striking ''Notwithstanding'' and inserting the following: ''Effective on the date of the enactment of this Act and thereafter, and notwithstanding''.

SEC. 624. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 625. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 626. No funds appropriated in this or any other Act for fiscal year 2000 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 627. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 628. (a) IN GENERAL.—For calendar year 2001, the Director of the Office of Management and Budget shall prepare and submit to Congress, with the budget submitted under section 1105 of title 31, United States Code, an accounting statement and associated report containing—

(1) an estimate of the total annual costs and benefits (including quantifiable and nonquantifiable effects) of Federal rules and paperwork, to the extent feasible—

(A) in the aggregate;

(B) by agency and agency program; and

(C) by major rule;

(2) an analysis of impacts of Federal regulation on State, local, and tribal government, small business, wages, and economic growth; and

(3) recommendations for reform.

(b) NOTICE.—The Director of the Office of Management and Budget shall provide public notice and an opportunity to comment on the statement and report under subsection (a) before the statement and report are submitted to Congress.

(c) GUIDELINES.—To implement this section, the Director of the Office of Management and Budget shall issue guidelines to agencies to standardize—

(1) measures of costs and benefits; and

(2) the format of accounting statements.

(d) PEER REVIEW.—The Director of the Office of Management and Budget shall provide for independent and external peer review of the guidelines and each accounting statement and associated report under this section. Such peer review shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 629. None of the funds appropriated by this Act or any other Act, may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 630. The Secretary of the Treasury is authorized to establish scientific certification standards for explosives detection canines, and shall provide, on a reimbursable basis, for the certification of explosives detection canines employed by Federal agencies, or other agencies providing explosives detection services at airports in the United States.

SEC. 631. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 632. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 633. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 634. None of the funds made available in this or any other Act with respect to any fiscal year may be used for any system to implement section 922(t) of title 18, United States Code, unless the system allows, in connection with a person's delivery of a firearm to a Federal firearms licensee as collateral for a loan, the background check to be performed at the time the collateral is offered for delivery to such licensee: Provided, That the licensee notifies local law enforcement within 48 hours of the licensee receiving a denial on the person offering the collateral: Provided further, That the provisions of section 922(t) shall apply at the time of the redemption of the firearm.

SEC. 635. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Providence Health Plan;

(B) Personal Care's HMO;

(C) Care Choices;

(D) OSF Health Plans, Inc.;

(E) Yellowstone Community Health Plan; and

(2) any existing or future plan, if the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 636. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for fiscal year 2000 by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an

appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 637. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to the ''Policy and Operations'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for fiscal year 2000 by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives and the Chief Information Officers Council for information technology initiatives). The total funds transferred shall not exceed $7,000,000. Such transfers may only be made 15 days following notification of the House and Senate Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 638. (a) IN GENERAL.—Section 901 of title 31, United States Code, is amended by adding at the end the following:

''(c)(1) There shall be within the Executive Office of the President a Chief Financial Officer, who shall be designated or appointed by the President from among individuals meeting the standards described in subsection (a)(3). The position of Chief Financial Officer established under this paragraph may be so established in any Office (including the Office of Administration) of the Executive Office of the President.

''(2) The Chief Financial Officer designated or appointed under this subsection shall, to the extent that the President determines appropriate and in the interest of the United States, have the same authority and perform the same functions as apply in the case of a Chief Financial Officer of an agency described in subsection (b).

''(3) The President shall submit to Congress notification with respect to any provision of section 902 that the President determines shall not apply to a Chief Financial Officer designated or appointed under this subsection.

''(4) The President may designate an employee of the Executive Office of the President (other than the Chief Financial Officer), who shall be deemed 'the head of the agency' for purposes of carrying out section 902, with respect to the Executive Office of the President.''.

(b) PLAN FOR IMPLEMENTATION.—Not later than 90 days after the effective date of this section, the President shall communicate in writing, to the Chairmen of the Committees on Appropriations, the Chairman of the Committee on Government Reform of the House of Representatives, and the Chairman of the Committee on Governmental Affairs of the Senate, a plan for implementation of the provisions of, and amendments made by, this section.

(c) DEADLINE FOR APPOINTMENT.—The Chief Financial Officer designated or appointed under section 901(c) of title 31, United States Code (as added by subsection (a)), shall be so designated or appointed not later than 180 days after the effective date of this section.

(d) PAY.—The Chief Financial Officer designated or appointed under such section shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(e) TRANSFER OF FUNCTIONS.—(1) The President may transfer such offices, functions, powers, or duties thereof, as the President determines are properly related to the functions of the Chief Financial Officer under section 901(c) of title 31, United States Code (as added by subsection (a)).

(2) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of any office the functions, powers, or duties of which are transferred under paragraph (1) shall also be so transferred.

(f) SEPARATE BUDGET REQUEST.—Section 1105(a) of title 31, United States Code, is amended by inserting after paragraph (30) the following new paragraph:

''(31) a separate statement of the amount of appropriations requested for the Chief Financial Officer in the Executive Office of the President.''.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Section 503(a) of title 31, United States Code, is amended—

(1) in paragraph (7) by striking ''respectively.'' and inserting ''respectively (excluding any officer designated or appointed under section 901(c)).''; and

(2) in paragraph (8) by striking ''Officers.'' and inserting ''Officers (excluding any officer designated or appointed under section 901(c)).''.

(h) EFFECTIVE DATE.—This section shall take effect at noon on January 20, 2001.

SEC. 639. (a) Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

''(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

''(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

''(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form if not required to do so under the regulation promulgated under clause (i).

''(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

''(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.

''(D) As used in this paragraph, the term 'report' means, with respect to the Commission, a report, designation, or statement required by this Act to be filed with the Commission.''.

(b) The amendments made by this section shall be effective for reporting periods beginning after December 31, 2000.

SEC. 640. (a) IN GENERAL.—Section 309(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)) is amended—

(1) in subparagraph (A)(i), by striking ''clause (ii)'' and inserting ''clauses (ii) and subparagraph (C)''; and

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

''(C)(i) Notwithstanding subparagraph (A), in the case of a violation of any requirement of section 304(a) of the Act (2 U.S.C. 434(a)), the Commission may—

''(I) find that a person committed such a violation on the basis of information obtained pursuant to the procedures described in paragraphs (1) and (2); and

''(II) based on such finding, require the person to pay a civil money penalty in an amount determined under a schedule of penalties which is established and published by the Commission and which takes into account the amount of the violation involved, the existence of previous violations by the person, and such other factors as the Commission considers appropriate.

''(ii) The Commission may not make any determination adverse to a person under clause (i) until the person has been given written notice and an opportunity to be heard before the Commission.

''(iii) Any person against whom an adverse determination is made under this subparagraph may obtain a review of such determination in the district court of the United States for the district in which the person resides, or transacts business, by filing in such court (prior to the expiration of the 30-day period which begins on the date the person receives notification of the determination) a written petition requesting that the determination be modified or set aside.''

(b) CONFORMING AMENDMENT.—Section 309(a)(6)(A) of such Act (2 U.S.C. 437g(a)(6)(A)) is amended by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring between January 1, 2000 and December 31, 2001.

SEC. 641. (a) Section 304(b) of the Federal Election Campaign Act (2 U.S.C. 434(b)) is amended by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), (6), and (7).

(b) The amendment made by this section shall become effective with respect to reporting periods beginning after December 31, 2000.

SEC. 642. (a) IN GENERAL.—Section 636 of the Treasury Postal Service, and General Government Appropriations Act, 1997 (5 U.S.C. prec. 5941 note) is amended in the first sentence by striking ''may'' and inserting ''shall''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, or the date of enactment of this Act, whichever is later.

SEC. 643. (a) IN GENERAL.—Upon promulgation of the regulations required under subsection (c), an Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) AFFORDABILITY.—Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) REGULATIONS.—The Office of Personnel Management shall, within 180 days after the date of enactment of this Act, issue regulations necessary to carry out this section.

(d) DEFINITION.—For purposes of this section, the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code, but does not include the General Accounting Office.

(e) NOTIFICATION.—None of the funds made available in this or any other Act may be used to implement the provisions of this section absent advance notification to the Committees on Appropriations.

SEC. 644. (a) INCREASE IN ANNUAL COMPENSATION.—Section 102 of title 3, United States Code, is amended by striking ''$200,000'' and inserting ''$400,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect at noon on January 20, 2001.

SEC. 645. Effective October 1, 1999, all personnel of the General Accounting Office employed or maintained to carry out functions of the Joint Financial Management Improvement

Program (JFMIP) shall be transferred to the General Services Administration. The Director of the Office of Personnel Management shall provide to the General Services Administration one permanent Senior Executive Service allocation for the position of the Executive Director of the JFMIP. Personnel transferred pursuant to this section shall not be separated or reduced in classification or compensation for 1 year after any such transfer, except for cause.

SEC. 646. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2000 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.8 percent.

(b) Funds used to carry out this section shall be paid from appropriatoins which are made to each applicable department or agency for salaries and expenses for fiscal year 2000.

SEC. 647. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 648. FEDERAL FUNDS IDENTIFIED. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 649. (a) Congress finds that—

(1) the Veterans of Foreign Wars of the United States (in this section referred to as the ''VFW''), which was formed by veterans of the Spanish-American War and the Philippine Insurrection to help secure rights and benefits for their service, will be celebrating its 100th anniversary in 1999;

(2) members of the VFW have fought, bled, and died in every war, conflict, police action, and military intervention in which the United States has engaged during this century;

(3) over its history, the VFW has ably represented the interests of veterans in Congress and State Legislatures across the Nation and established a network of trained service officers who, at no charge, have helped millions of veterans and their dependents to secure the education, disability compensation, pension, and health care benefits they are rightfully entitled to receive as a result of the military service performed by those veterans:

(4) the VFW has also been deeply involved in national education projects, awarding nearly $2,700,000 in scholarships annually, as well as countless community projects initiated by its 10,000 posts; and

(5) the United States Postal Service has issued commemorative postage stamps honoring the VFW's 50th and 75th anniversaries, respectively.

(b) Therefore, it is the sense of the Congress that the United States Postal Service is encouraged to issue a commemorative postage stamp in honor of the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States.

SEC. 650. ITEMIZED INCOME TAX RECEIPT. (a) IN GENERAL.—Not later than April 15, 2000, the Secretary of the Treasury shall establish an interactive program on an Internet website where any taxpayer may generate an itemized receipt showing a proportionate allocation (in money terms) of the taxpayer's total tax payments among the major expenditure categories.

(b) INFORMATION NECESSARY TO GENERATE RECEIPT.—For purposes of generating an itemized receipt under subsection (a), the interactive program—

(1) shall only require the input of the taxpayer's total tax payments, and

(2) shall not require any identifying information relating to the taxpayer.

(c) TOTAL TAX PAYMENTS.—For purposes of this section, total tax payments of an individual for any taxable year are—

(1) the tax imposed by subtitle A of the Internal Revenue Code of 1986 for such taxable year (as shown on his return), and

(2) the tax imposed by section 3101 of such Code on wages received during such taxable year.

(d) CONTENT OF TAX RECEIPT.—

(1) MAJOR EXPENDITURE CATEGORIES.—For purposes of subsection (a), the major expenditure categories are:

(A) National defense.
(B) International affairs.
(C) Medicaid.
(D) Medicare.
(E) Means-tested entitlements.
(F) Domestic discretionary.
(G) Social Security.
(H) Interest payments.
(I) All other.

(2) OTHER ITEMS ON RECEIPT.—

(A) IN GENERAL.—In addition, the tax receipt shall include selected examples of more specific expenditure items, including the items listed in subparagraph (B), either at the budget function, subfunction, or program, project, or activity levels, along with any other information deemed appropriate by the Secretary of the Treasury and the Director of the Office of Management and Budget to enhance taxpayer understanding of the Federal budget.

(B) LISTED ITEMS.—The expenditure items listed in this subparagraph are as follows:

(i) Public schools funding programs.
(ii) Student loans and college aid.
(iii) Low-income housing programs.
(iv) Food stamp and welfare programs.
(v) Law enforcement, including the Federal Bureau of Investigation, law enforcement grants to the States, and other Federal law enforcement personnel.
(vi) Infrastructure, including roads, bridges, and mass transit.
(vii) Farm subsidies.
(viii) Congressional Member and staff salaries.
(ix) Health research programs.
(x) Aid to the disabled.
(xi) Veterans health care and pension programs.
(xii) Space programs.
(xiii) Environmental cleanup programs.
(xiv) United States embassies.
(xv) Military salaries.
(xvi) Foreign aid.
(xvii) Contributions to the North Atlantic Treaty Organization.
(xviii) Amtrak.
(xix) United States Postal Service.

(e) COST.—No charge shall be imposed to cover any cost associated with the production or distribution of the tax receipt.

(f) REGULATIONS.—The Secretary of the Treasury may prescribe such regulations as may be necessary to carry out this section.

SEC. 651. (a) Section 7001 of Public Law 105–174 (112 Stat. 91) is amended by striking each place it appears ''for purposes of the period beginning on the date of enactment of this Act and ending on September 30, 1999,'' and inserting ''May 1, 1998,''.

(b) Section 1109 of Public Law 105–261 (112 Stat. 2143) is repealed.

SEC. 652. (a) The American Battle Monuments Commission and the World War II Memorial Advisory Board (as referred to in Public Law 103–32 (40 U.S.C. 1003 note; 107 Stat. 90)) shall each be considered to qualify for the rates of postage currently in effect under former section 4452 of title 39, United States Code, for third-class mail matter mailed by a qualified nonprofit organization.

(b) Rates of postage afforded by subsection (a) shall be available only with respect to official mail sent for the furtherance of the purpose of section 2(c)(1) or 3 of Public Law 103–32, as applicable.

(c) This section shall apply with respect to fiscal year 2000 and each fiscal year thereafter.

SEC. 653. (a) ESTABLISHMENT.—There is established the National Intellectual Property Law Enforcement Coordination Council (in this section referred to as the ''Council''). The Council shall consist of the following members—

(1) The Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, who shall serve as co-chair of the Council;

(2) The Assistant Attorney General, Criminal Division, who shall serve as co-chair of the Council;

(3) The Under Secretary of State for Economic and Agricultural Affairs;

(4) The Ambassador, Deputy United States Trade Representative;

(5) The Commissioner of Customs; and

(6) The Under Secretary of Commerce for International Trade.

(b) DUTIES.—The Council established in subsection (a) shall coordinate domestic and international intellectual property law enforcement among federal and foreign entities.

(c) CONSULTATION REQUIRED.—The Council shall consult with the Register of Copyrights on law enforcement matters relating to copyright and related rights and matters.

(d) NON-DEROGATION.—Nothing in this section shall derogate from the duties of the Secretary of State or from the duties of the United States Trade Representative as set forth in section 141 of the Trade Act of 1974 (19 U.S.C. 2171), or from the duties and functions of the Register of Copyrights, or otherwise alter current authorities relating to copyright matters.

(e) REPORT.—The Council shall report annually on its coordination activities to the President, and to the Committees on Appropriations and on the Judiciary of the Senate and the House of Representatives.

(f) FUNDING.—Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2000 and hereafter by this or any other Act shall be available for interagency funding of the National Intellectual Property Law Enforcement Coordination Council.

SEC. 654. In addition to funds otherwise provided under the heading ''National Oceanic and Atmospheric Administration'' for ''Operations, Research, and Facilities'' in Public Law 105–277 (112 Stat. 2681–83), $5,650,000 is appropriated for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefit Plan, and for payment for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55).

This Act may be cited as the ''Treasury and General Government Appropriations Act, 2000''.

And the Senate agree to the same.

JIM KOLBE,
FRANK R. WOLF,
ANN M. NORTHUP,
JO ANN EMERSON,
JOHN E. SUNUNU,
JOHN E. PETERSON,
ROY BLUNT,
BILL YOUNG,
STENY HOYER,
CARRIE P. MEEK,
DAVID E. PRICE,
LUCILLE ROYBAL-ALLARD,
DAVE OBEY,
Managers on the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
JON KYL,
TED STEVENS,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2490), making appropriations for the Treasury Department, the United States Postal

Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Treasury and General Government Appropriations Act, 2000, incorporates some of the language and allocations set forth in House Report 106-231 and Senate Report 106-87. The language in these reports should be complied with unless specifically addressed in the accompanying statement of managers.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Treasury, Postal Service, and General Government and the Senate Subcommittee on Treasury and General Government.

REPROGRAMMING AND TRANSFER OF FUNDS GUIDELINES

The conference agreement includes the following reprogramming guidelines which shall be complied with by all agencies funded by the Treasury and General Government Appropriations Act, 2000:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or a transfer of funds, or use of unobligated balances, which are submitted after the close of the third quarter of the fiscal year, June 30;

2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. For agencies, departments, or offices receiving appropriations in excess of $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $500,000 or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

4. For agencies, departments, or offices receiving appropriations less than $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $50,000, or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

5. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

6. For any action which would result in a major change to the program or item which is different than that presented to and approved by either of the Committees, or the Congress, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted; and,

8. For any action where funds earmarked by either of the Committees for a specific activity are in excess of the project or activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted.

Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

CLIMATE CHANGE RESEARCH

On October 22, 1997, the President introduced a three-stage proposal on climate change in anticipation of an international agreement to be negotiated 2 months later in Kyoto, Japan. The President's budget for fiscal year 1999 included a $6,300,000,000 package of tax incentives and research and development programs over the 5 years of Stage I of the President's proposal. With regard to programs pursued under the President's proposal, the conferees expect the administration to comply with the letter and spirit of the Government Performance and Results Act (GPRA).

The conferees direct the administration to designate which office has authority to coordinate and direct interagency activity with regard to the President's proposal, which can report accountably to Congress.

None of the funds provided in this bill are to be used to implement actions called for solely under the Kyoto protocol, prior to its ratification.

The Byrd-Hagel resolution passed in 1997 (S. Res. 98) remains the clearest statement of the will of the Senate with regard to the Kyoto protocol, and the conferees are committed to ensuring that the administration not implement the Kyoto protocol without congressional consent. The conferees recognize, however, that there are also long-standing energy research programs which have goals and objectives that, if met, could have positive effects on energy use and the environment. The conferees do not intend to preclude these programs from proceeding, provided they have been documented in full compliance with the letter and intent of GPRA, funded, and approved by Congress.

To the extent future funding requests may be submitted which would increase funding for climate change activities prior to ratification of the Kyoto protocol (whether under the auspices of the climate change technology initiative or any other initiative), the Administration must do a better job of explaining the components of the programs, their anticipated goals and objectives, the justification for any funding increases, a discussion of how success will be measured, and a clear definition of how these programs are justified by goals and objectives independent of implementation of the Kyoto protocol.

The conferees direct the Administration to provide the Committees with a detailed plan for implementing key elements of the President's proposal, which would include performance goals for the reduction of greenhouse gases that have objective, quantifiable, and measurable target levels. The plan should provide evidence on the effectiveness of these programs in meeting the performance goals. The conferees expect these items to be included as part of the fiscal year 2001 budget submission for all affected agencies.

Last year, the Senate Appropriations Committee directed the Administration to include these items in the fiscal year 2000 budget submission. The conferees are concerned that several agencies are tardy in doing so. The conferees take cognizance of a joint hearing on agency accountability, conducted on May 20, 1999, by subcommittees of the Senate Committee on Energy and Natural Resources and the House Committee on Government Reform. In fact, three agencies did not submit reports until April 9 or later, and one submitted its report one day before this hearing. According to the General Accounting Office, both the timing and the content of these submissions made it more difficult for Congress to assess administration proposals.–

VEHICLE USAGE AND REPLACEMENT

The conferees remain concerned about the pace by which the vehicle management system is being implemented. To date, only initial steps have been taken. Therefore, the conferees have continued last year's provision regarding vehicle acquisition and expect that the system will be fully implemented in time to utilize information gathered from the system in developing the fiscal year 2001 budget. The conferees direct that the fiscal year 2001 request regarding vehicle acquisitions be justified on a demonstrated use of this system.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees agree to provide $134,034,000 instead of $134,206,000 as proposed by the House and $133,168,000 as proposed by the Senate. The amount provided does not include the additional $596,000 requested for Enforcement Policies and Programs.

The conferees note that the amount provided includes sufficient funding for the Department of the Treasury to make up to $500,000 in contract awards to the National Law Center for Inter-American Free Trade as proposed by the President. The conferees support this program, which will aid federal government efforts to conduct legal research specific to relevant trade issues.

SENIOR EXECUTIVE SERVICE ALLOCATIONS

The conferees recognize some discrepancy in allocations of Senior Executive Service (SES) positions among Treasury law enforcement bureaus. When compared to comparable Justice Department agencies, these allocations seem disproportionate. The conferees recognize that SES allocations are reviewed every two years and the next review will occur in the year 2000. In order to mitigate this apparent disparity, the conferees direct the Secretary of the Treasury to review the SES allocations in its law enforcement bureaus and to make recommendations to the Committees on Appropriations by November 1, 1999, on those actions that might alleviate SES imbalances.

OFFICE OF ENFORCEMENT REVIEW

The Congress established the Office of the Under Secretary of Enforcement in Public Law 103-123, Section 105, to allow the Department an office solely dedicated to assisting Treasury's law enforcement bureaus in management and policy oversight issues specific to the needs of law enforcement. The conferees are interested in the use of funding in the Office of Enforcement with respect to the management of law enforcement bureaus and the development and oversight of policy. Therefore, the conferees direct the General Accounting Office to conduct a management review of the Office of Enforcement and Treasury's law enforcement bureaus as they relate to the Office of Enforcement. The conferees note that attention should also be paid to the Office's interactions with other entities within Treasury's Departmental Offices, as well as other federal law enforcement agencies.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

The conferees agree to provide $43,961,000 instead of $31,017,000 as proposed by the House and $35,561,000 as proposed by the Senate. The amount provided includes $26,221,000 for Human Resources Reengineering and Systems Modernization, $4,327,000 for the

completion of Year 2000 conversion activities, $3,813,000 for Departmental Offices productivity enhancement, $1,000,000 for critical infrastructure protection, $200,000 for Department-wide implementation of an information systems architecture, $5,400,000 for the International Trade Data System, and $3,000,000 for money laundering grants.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees agree to provide $30,716,000 as proposed by the House instead of $30,483,000 as proposed by the Senate.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conferees agree to provide $112,207,000 as proposed by the House instead of $111,340,000 as proposed by the Senate.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conferees agree to provide $23,000,000 as proposed by the House instead of $15,000,000 as proposed by the Senate.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The conferees agree to provide $27,818,000 instead of $29,656,000 as proposed by the House and $27,681,000 as proposed by the Senate. This is identical to the Administration's request, with the exception that $600,000 requested to fund Gateway system operations is provided in the Violent Crime Reduction Trust Fund instead of the Salaries and Expenses appropriation. The conferees agree that not to exceed $1,000,000 of this funding shall remain available until September 30, 2002 to provide flexibility in keeping technology investments current.

TREASURY FORFEITURE FUND

The conferees understand that the fiscal year 2000 super surplus for the Treasury Forfeiture Fund will exceed the Administration's estimate of $142,000,000, and therefore direct the Department to provide the Committees on Appropriations its plan for using these resources in a timely manner, as well as a summary of actual obligations in the fiscal year 2001 budget request.

The conferees continue to support the use of the super surplus to further advance Treasury law enforcement programs and activities, and acknowledge the Department's proposal for use of the super surplus for a variety of activities. The conferees direct the Department to use $177,906,000 instead of $142,106,000 as proposed by the House and $142,000,000 as proposed by the Senate, as follows:

U.S. Customs Service–	$64,493,000—
Vehicle Replacement— ...	8,600,000–
FTE/Equipment from S&E–	11,964,000– –
Other Base equipment funding–	12,129,000–
Integrity enhancement–	4,300,000– –
Training Initiative–	2,500,000–
SW Border Initiative–	25,000,000
Bureau of Alcohol, Tobacco and Firearms–	34,947,000– –
IBIS	3,000,000– –
Mobile Radios/vehicles– ..	6,300,000– –
Canine explosives detection–	1,000,000– –
Post incident investigations–	3,600,000– –
Arson and explosives repository–	1,608,000– –
Lab Equipment Modernization–	3,800,000– –
Building security annualization–	639,000–
Headquarters Construction (if required)–	15,000,000
U.S. Secret Service–	75,466,000– –
Treasury Std. Financial Systems–	250,000– –
LAN Replacement–	250,000– –
TCS–	3,700,000– –
Counter Chem/Bio Threats–	3,325,000– –
Upgrade WH Complex Security–	1,843,000– –
Replace mainframe financial system–	1,151,000– –
2000 Presidential Campaign—add'l protection workload–	27,515,000–
2000 Presidential Campaign—recurring protection workload–	7,732,000–
Vehicle Replacement—from VCRTF–	6,700,000– –
Anti-terrorism supp. follow-on costs–	23,000,000–
Other Treasury –	3,000,000–
FLEWUG–	3,000,000
Total–	177,906,000–

VIOLENT CRIME REDUCTION PROGRAMS

The conferees agree to provide $132,000,000, as proposed by the House instead of $194,000,000 proposed by the Senate. This amount is to be used as follows:

Bureau of Alcohol, Tobacco and Firearms–	$40,920,000–
GREAT Program Management–	3,000,000–
GREAT Program Grants–	13,000,000–
YCGII Expansion to 37 cities–	12,320,000–
Integrated Violence Reduction Strategy–	12,600,000
Customs Service–	61,000,000–
Land Border Automation Initiative/canopies–	4,000,000–
Vehicles–	11,464,000–
Maintain FY 1988 equipment (NII, canopies)– ..	3,640,000–
Agent/Inspector Relocation–	8,000,000 –
Lab modernization–	5,735,000–
Narcotics and money laundering–	4,817,000 –
Cybersmuggling—FY 99 Initiative continuation–	2,400,000–
Maintain FY97 Hardline/Gateway Equipment– ..	5,430,000 –
Hiring for projected attrition–	15,514,000
Secret Service–	4,200,000 –
Forensic technologies—general–	2,000,000 –
Forensic technologies—NCMEC operational support–	2,200,000
Financial Crimes Enforcement Network–	1,863,000
Magnitude of Money Laundering Study–	500,000
SARs Access/Enhancement–	200,000
Gateway Program–	600,000
Expand Secure Outreach Net–	263,000
Expand Data Mining Technology–	300,000
Interagency Crime and Drug Enforcement–	14,817,000
Federal Law Enforcement Training Center–	9,200,000–
Artesia Firearms Ranges–	9,200,000
Total–	132,000,000

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

The conferees agree to provide $27,920,000 instead of $26,800,000 as proposed by the House and $17,847,000 as proposed by the Senate.

YOUTH CRIME GUN INTERDICTION INITIATIVE

The conferees agree to increase total funding for the Youth Crime Gun Interdiction Initiative (YCGII) to $51,320,000, of which $12,320,000 is provided in the violent crime reduction trust fund (VCRTF). The conferees strongly support programs such as YCGII, the operations of the Bureau of Alcohol, Tobacco and Firearms (ATF) National Tracing Center, and initiatives such as the Integrated Violence Reduction Strategy to target, investigate and prosecute crimes with guns and reduce gun violence among our nation's youth. The conferees are aware that many communities are interested in learning from and benefiting by increased federal efforts in this area, and so ATF is encouraged to consider the needs of communities where no current YCGII program exists, such as Las Vegas, Nevada, as it plans for future YCGII operations.

GANG RESISTANCE EDUCATION AND TRAINING GRANTS

The conferees agree to provide $13,000,000 to ATF as proposed by the Senate instead of $10,000,000 as proposed by the House to continue the Gang Resistance Education and Training (GREAT) program. Additional funds of $3,000,000 for ATF administrative support also are provided through VCRTF. The conferees understand that the longitudinal impact study of the GREAT program now underway at the National Institute of Justice and the University of Nebraska will be completed in the summer of 2000. The conferees urge ATF to expedite completion of the study and provide the results to the Committees on Appropriations.

CUSTOMS SERVICE

The conferees agree to provide $61,000,000 instead of $64,000,000 as proposed by the House and $52,774,000 as proposed by the Senate. This fully funds the Administration request for funding for vehicles, maintenance of previously acquired detection equipment and equipment in support of Operations HARDLINE and GATEWAY, lab modernization, money laundering, and $2,400,000 to continue the Customs Cybersmuggling Center. The conferees provide an additional $1,600,000 for the Cybersmuggling Center in the Customs Service Salaries and Expenses appropriation. The conferees provide $4,000,000 for the land border automation initiative.

AGENT AND INSPECTOR RELOCATION

The conferees are interested in the use of funding provided for agent and inspector relocation. Specific funding of $8,000,000 was requested by the Administration, in addition to $4,000,000 from the Treasury Forfeiture Fund in fiscal year 1998 and $8,000,000 appropriated to Customs in fiscal year 1999. The conferees direct the Customs Service to report by February 1, 2000, on its use of this funding for fiscal years 1998–2000, to include actual and estimated numbers of inspectors and agents relocated and the costs associated with such moves.

SECRET SERVICE

The conferees agree to provide $4,200,000 as proposed by the House instead of $21,950,000 as proposed by the Senate. This includes $2,000,000 for forensic assistance to the National Center for Missing and Exploited Children (NCMEC) and $2,200,000 for grant assistance for the Exploited Child Unit of NCMEC.

FINANCIAL CRIMES ENFORCEMENT NETWORK

The conferees agree to provide $1,863,000 as proposed by the Senate instead of no funding as proposed by the House. This includes funding for operating the Gateway system, expanding the secure outreach network for federal agencies, improving access to the Suspicious Activity Report (SAR) system and outreach to State and local law enforcement agencies, money laundering, and data mining.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

The conferees agree to provide $9,200,000 as proposed by the Senate instead of no funding as proposed by the House, for two firearms ranges at the Federal Law Enforcement Training Center's Artesia, New Mexico, campus.

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide $14,817,000 instead of $27,000,000 as proposed by the House and $28,366,000 as proposed by the Senate. An additional $61,083,000 is provided in the Interagency Law Enforcement account for a total appropriation of $75,900,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER–

SALARIES AND EXPENSES

The conferees agree to provide $84,027,000 instead of $82,827,000 as proposed by the House and $80,114,000 as proposed by the Senate. The conferees agree to an increase of $1,420,000 for basic training, $1,216,000 for counter-terrorism training, $1,380,000 for a cost accounting system, $350,000 for scheduling automation, $1,973,000 for equipment base restoration, $900,000 for training vehicles, and $300,000 for a Rural Law Enforcement Demonstration Project.–

The conferees agree to continue a general provision (Section 615) to permit the Federal Law Enforcement Training Center (FLETC) to acquire the temporary use of additional training facilities without seeking the advance approval otherwise required by that section. The conferees direct the Center to report to the Committees on Appropriations by May 5, 2000 on the use of this authority and projections for its future use.

U.S. BORDER PATROL BASIC TRAINING

The Congress has mandated that the US Border Patrol (USBP) increase its level of new hires now and over the next several years. A critical component of the hiring process is the training of new agents to prepare them as quickly as possible to perform their duties at USBP locations. Due to the increased training requirements, entry level USBP agents are currently trained at both the FLETC Glynco, Georgia and the former Charleston, South Carolina Naval Yard sites. The conferees direct that FLETC and the Immigration and Naturalization Service (INS)/USBP establish a training schedule that creates fixed plateaus for conducting training at both locations. FLETC and INS are to report back to the Committees on Appropriations no later than January 1, 2000, on how this scheduling is being implemented for fiscal year 2000. The conferees fully expect that the five year construction Master Plan for facilities for USBP training will be fully implemented subject to a certification by the Secretary of Treasury and the Attorney General that all FLETC overflow issues relating to USBP basic training have been addressed.

RURAL LAW ENFORCEMENT EDUCATION DEMONSTRATION PROJECT

The conferees are concerned that greater attention tends to be focused on youth crime and gang activity in urban centers. Rural areas are also experiencing significant increases in juvenile crime. The conferees believe that rural law enforcement officials, and others in rural communities who could provide an early warning system of criminal behavior, are not receiving the kind of education and training that may be critically important to the safe keeping of their communities.

Therefore, the conferees direct the Director of FLETC to provide up to $300,000 to a graduate level criminal justice program specializing in rural law enforcement in a Northern Plains State and/or other rural area. These funds will be used to sponsor a research project on the development of law enforcement training techniques aimed at addressing rural crime, rural drug behavior and rural gang activities. It is hoped that the study, which shall be provided to the Committees on Appropriations within one year after enactment of this bill, will be considered in making any law enforcement changes necessary for conducting a rural law enforcement training program.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide $21,611,000 as proposed by the Senate instead of $24,310,000 as proposed by the House. This includes funding for the current Master Plan construction, expanding the chilled water system, a counter terrorism facility, and completion of a new dormitory at Artesia, New Mexico.–

The conferees have denied funding for a new classroom at Glynco, Georgia, as these funds have been made available through the Treasury Forfeiture Fund in fiscal year 1999.

DORMITORY AND CLASSROOM CONSTRUCTION

The conferees continue to be committed to the principle of consolidating federal law enforcement training, and are greatly concerned that the INS Border patrol training facility in Charleston, South Carolina will not be closed in fiscal year 2001, as originally planned and agreed to by the Departments of Justice and Treasury. The conferees understand that the obstacle to this closure and subsequent consolidation of all Border Patrol basic training at FLETC is the lack of adequate capacity at the two existing FLETC sites. The budget request is consistent with a revised plan to have adequate basic training capacity by fiscal year 2004. The conferees strongly urge FLETC and the Department to keep the Committees informed of any problems that may cause further delays, and directs the Treasury Department to report by May 5, 2000, on progress in meeting this target.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide $61,083,000 instead of $48,900,000 as proposed by the House and no appropriation as proposed by the Senate. The conferees provide an additional $14,817,000 through the VCRTF, for a total appropriation of $75,900,000.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $201,320,000 as proposed by the House instead of $200,054,000 as proposed by the Senate.–

The conferees have agreed to include language proposed by the Senate that provides that not to exceed $2,500 is available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

The conferees agree to provide $565,959,000 instead of $567,059,000 as proposed by the House and $570,345,000 as proposed by the Senate. The amount provided fully funds the request to maintain current services, includes $5,209,000 for enforcement and tax collection support for tobacco tax compliance, and $5,000,000 to support the Integrated Ballistic Indentification System system in addition to $3,000,000 funded through the Treasury Forfeiture Fund. The conferees do not include $1,100,000 requested for a promotion assessment system, but expect ATF to absorb those costs within existing resources.–

TOBACCO COMPLIANCE

The conferees are concerned that a change in federal law mandated by the 1997 Balanced Budget Act regarding the domestic distribution of cigarettes manufactured for export will create substantial enforcement problems for ATF after January 1, 2000, when the new law becomes effective. The conferees note that a number of States have already passed laws banning the distribution of export manufactured cigarettes ahead of the federal statute. The conferees include $5,209,000 to fund the enforcement actions with regard to gray market tobacco products and to ensure collection of floor stock taxes. The conferees direct ATF to report back to the Committees on Appropriations before September 30, 2000, followed by semi-annual reports thereafter, on the number of employees dedicated to handling this transition in the law and its enforcement, the number of complaints received, the number of investigations initiated, and the number of cases referred for prosecution.

ANTIQUE FIREARMS

The conferees are concerned that there are insufficient data or information on the use of antique firearms in crime. The term ''antique firearm'' has the meaning given the term in 18 USC 921(a)(16). Therefore, the ATF is urged to conduct a study on the use of antique firearms in crime and report back to the Committees on Appropriations no later than February 15, 2000.

LABORATORY FACILITIES AND HEADQUARTERS

The conferees recommend that, should it be deemed necessary, ATF seek any funds required for a relocation of their headquarters operations from the Treasury Forfeiture Fund.–

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $1,705,364,000 instead of $1,708,089,000 as proposed by the House and $1,670,747,000 as proposed by the Senate. These amounts include $212,000 for renovations to the Louisville International Airport in Louisville, Kentucky. The conferees also include funding to maintain current levels and annualize the cost of personnel and equipment, including vehicle replacement, and $35,000,000 in new funding to support the Automated Commercial System. In addition, the conferees provide $9,000,000 for non-intrusive mobile personal inspection technology, $5,011,000 for the forced child labor program, and $2,000,000 for money laundering outbound detection technology. The agreement also includes $1,600,000 for the Cybersmuggling Center in addition to the $2,400,000 funded through the Violent Crime Reduction Trust Fund, to bring total funding to the Center to $4,000,000. The conferees deny without prejudice $725,000 requested for land border blitzes.

CUSTOMS AUTOMATION

The conferees are extremely supportive of automating Customs' systems and processes. Unfortunately, the Administration failed to request adequate funding for this program, either to maintain the existing Automated Commercial System (ACS) or to lay the groundwork for the Automated Commercial Environment (ACE). The President's budget does include an increase of $35,000,000 for expanded memory for ACS. However, the conferees are deeply concerned that Customs has failed to provide accurate estimates of possible funding shortfalls which the conferees could address. The conferees support Customs' efforts to mirror the Internal Revenue Service's path for modernization with the use of a prime integrator and the establishment of modularized acquisition and spending plans. Given the adoption of this new approach, the conferees request the revised system blueprint, schedule and budget for ACE not later than the time the budget is submitted for fiscal year 2001. The conferees also direct the Customs Service to

provide quarterly reports on the maintenance and costs of ACS until ACE has been implemented.

SOUTHWEST BORDER STAFFING AND CROSS-BORDER TRADE

The conferees are aware that commercial truck traffic entering the United States through Mexico has grown by more than 50 percent in recent years, and that the Customs Service has not realized subsequent increases in inspectors. For example, over 80 percent of the fresh produce imported from Mexico comes through Nogales, Arizona, yet the number of Customs inspectors in that area has actually decreased. In addition, the San Luis, Arizona port of entry is not open during key hours thereby forcing trade to be rerouted hundreds of miles away. When the port is open, wait times can be over two and a half hours long. The conferees understand that Customs is currently reviewing its overall resource allocation and encourages Customs to consider the Arizona border in this review. In the interim, the conferees instruct Customs at least to maintain current staffing levels in Arizona in fiscal year 2000 and to report to the Committees on Appropriations by March 31, 2000, on what resources are necessary to reduce wait times along the Southwest border to twenty minutes, in addition to outlining the current staffing needs in Arizona.

TARGETED RESOURCES FOR THE SOUTHWEST BORDER

In addition to the evaluation of overall, longer term Southwest border needs directed above, the conferees, in an effort to address these concerns in terms of wait times and trafficking in illegal drugs and contraband, believe that an immediate increase in inspectors, agents, and detection technology is justified to meet these current pressures. The conferees therefore direct the U.S. Customs Service to submit within 60 days of enactment to the Committees on Appropriations its recommendation for immediate actions to reduce waiting times and improve contraband detection capabilities, as well as investigative resources. Based on these recommendations and subject to approval by the Committees, the conferees direct that $25,000,000 from the super surplus of the Treasury Forfeiture Fund be used to hire new inspectors, agents, or acquire new detection technology for use along the Southwest border.

CUSTOMS INSPECTION PRACTICES

The conferees are concerned about allegations that African-Americans and Hispanic-Americans are being targeted for Customs inspections, detention and for personal searches at border crossings. The conferees are also concerned about allegations that personal searches of individuals subject to such searches in accordance with regulations established by the Customs Service may be carried out by employees of the Customs Service who are not of the same gender as the individual being searched. Therefore, the conferees direct the Secretary of the Treasury to prepare and submit to the Congress a report on the conduct of personal searches by employees of the Customs Service by February 15, 2000.

CANADIAN/UNITED STATES FREE TRADE AGREEMENT RESEARCH PROGRAM

The Canadian/United States Free Trade Agreement (CUSTA) was signed in 1988 and implemented in 1989. The objective was to create a Canadian/U.S. free trade area so trade between the two countries would be uninhibited by border measures. The agreement called for conversion of non-tariff border measures to tariffs, with all tariffs to be phased out over a 15 year period. The agreement was expanded to NAFTA by including Mexico in 1994.

From within amounts appropriated, the conferees agree to provide $725,000 and direct Customs to provide a Northern Plains agricultural economics program with these funds to conduct a research program to analyze issues relating to bilateral U.S./Canada trade in agricultural commodities and to assess the economic impact of bilateral trade on the Northern Plains. Specific objectives of the research program are (1) to evaluate inconsistencies in agricultural policies, trade practices, and marketing activities which affect trade flows of agricultural products and commodities between the U.S. and Canada; (2) to analyze the impacts of Canadian exports of agricultural products and commodities on prices and net farm income in Northern Plains States; (3) to analyze data on Canadian export prices and quantities of agricultural products and commodities collected at U.S. customs points along the Northern border; and (4) to evaluate factors influencing Canadian exports to the United States, including transportation and logistics and single desk selling of wheat and barley by the Canadian Wheat Board. The conferees further direct that a report on this project be provided to the Committees within one year of enactment of this Act.

PORTS OF ENTRY INFRASTRUCTURE ASSESSMENT

The conferees are concerned about the current condition of the ports of entry along the U.S. land borders. Therefore, the conferees direct the Customs Service, working in consultation with the General Services Administration, to assess the current condition and infrastructure needs of these ports and provide a report to the Committees within nine months after enactment of this Act on a plan to address these needs and the resources required to do so. The conferees expect the Customs Service to coordinate with the other Federal and State border agencies in this effort.

INTERNATIONAL PORTS OF ENTRY

The conferees urge the Customs Service to evaluate the merits of designating the Hector International Airport in Fargo, North Dakota, the San Antonio International Airport in San Antonio, Texas, and The Manchester Airport in Manchester, New Hampshire, as international ports of entry and report the findings to the Committees on Appropriations no later than February 15, 2000. Additionally, the conferees encourage the U.S. Customs Service to consider a pilot project to allow international port of entry designations at several selected airports which may not currently meet the requirements for an international port of entry designation but which demonstrate promise of meeting them in the future due to expanded international trade and commerce.

HARBOR MAINTENANCE FEE COLLECTION

The conferees agree to provide a separate appropriation of $3,000,000 as proposed by the Senate, to be transferred from the Harbor Maintenance Trust Fund to the Customs Service ''Salaries and Expenses'' appropriation.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

The conferees agree to provide $108,688,000 as proposed by the Senate instead of $109,413,000 as proposed by the House. The conferees deny without prejudice $725,000 requested for land border blitzes.

CUSTOMS AIR AND MARINE INTERDICTION MODERNIZATION

In the fiscal year 1999 appropriation, the conferees directed Customs to provide its air and marine program modernization plan with its fiscal year 2000 budget. The conferees understand that this plan is currently under review within the Administration and are dismayed that the plan was not provided as requested. The plan is to include the projected lifespans and replacement schedules, as well as the current status, of each aircraft or vessel, associated operations and maintenance activities for these craft, and any costs for fleet modernization. The conferees expect prompt completion and submission of this report.

ROTORCRAFT TRAINING

The conferees are aware that the Customs Service has contracted with the University of North Dakota for rotorcraft training. Because of the University's state-of-the-art facilities, its experienced flight instructors, and its internationally recognized expertise in touch-down auto rotation, the conferees urge the continuation and expansion of this collaboration.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conferees agree to provide $177,819,000 instead of $176,919,000 as proposed by the House and $176,983,000 as proposed by the Senate.

The conferees agree that the report described in House report language should be submitted to the Committees on Appropriations by February 1st of each year.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

The conferees agree to provide $3,312,535,000 instead of $3,270,098,000 as proposed by the House and $3,291,945,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration.

The conferees have also agreed to include $3,950,000 for the Tax Counseling for the Elderly Program as proposed by the Senate instead of $3,700,000 as proposed by the House.

TAX LAW ENFORCEMENT

The conferees agree to provide $3,336,838,000 instead of $3,301,136,000 as proposed by the House and $3,305,090,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration.

The conferees have also agreed to include language in the bill which provides $150,000 for official reception and representation expenses associated with hosting the Inter-American Center of Tax Administration 2000 Conference as proposed by the Senate.

Kerosene Dye Study

The Taxpayer Relief Act of 1997 established a $.244 per gallon motor fuels tax on kerosene to deter fraud and evasion of the diesel tax. To distinguish between those using the fuel for home heating purposes and those using the fuel for transportation use, a dyeing scheme was established whereby red-dyed kerosene would be provided to home heating fuel customers tax free and clear kerosene would be used by the transportation fuel customers. The conferees are concerned about the potential effects on human health and safety of burning red-dyed kerosene fuel in unvented space heaters. Therefore, the conferees direct the Secretary of the Treasury to conduct a study on this issue and report the results to the tax-writing committees of the House and Senate by September 30, 2000.

INFORMATION SYSTEMS

The conferees agree to provide $1,455,401,000 instead of $1,394,540,000 as proposed by the House and $1,450,100,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration. The conferees have also agreed to make the funds available for obligation until September 30, 2001.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Section 101. The conferees agree to include a provision proposed by the House and the

Senate which allows the transfer of 5 percent of any appropriation made available to the Internal Revenue Service to any other IRS appropriation subject to Congressional approval.

Section 102. The conferees agree to include a provision proposed by the House and the Senate which requires the IRS to maintain a training program in taxpayers' rights, dealing courteously with taxpayers, and cross cultural relations.

Section 103. The conferees agree to include a provision proposed by the House and the Senate which requires the IRS to institute and enforce policies and practices that will safeguard the confidentially of taxpayer information.

Section 104. The conferees agree to include a provision proposed by the Senate which directs that funds shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line telephone assistance. The House bill contained no similar provision.

Section 105. The conferees agree to include a provision proposed by the Senate which provides that no reorganization of the Internal Revenue Service Criminal Investigation Division will result in a reduction in the number of criminal investigators in Wisconsin and South Dakota below the 1996 level. The House bill contained no similar provision.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $667,312,000 instead of $662,312,000 as proposed by the House and $638,816,000 as proposed by the Senate. The conferees agree to provide authority for up to $18,000,000 to remain available for protective travel until September 30, 2001, as proposed by the House. The conferees fully fund the President's request with two exceptions: the conferees deny the Administration's request to fund $1,000,000 from the Treasury Forfeiture Fund, and include $5,000,000 to implement the provisions of Section 118.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

The conferees agree to provide $4,923,000 as proposed by the House and the Senate.

James J. Rowley Training Center

The conferees believe that providing the necessary training facilities is critical to a state-of-the-art protective training environment. To this end, the conferees direct the Secret Service to report to the Committees on Appropriations on the status of the Master Plan for the James J. Rowley Training Center, including project priorities, timelines for completion, and its overall priority within the Secret Service and Treasury law enforcement mission.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 110. The conferees agree to include a provision proposed by the House and the Senate which requires the Secretary of the Treasury to comply with certain reprogramming guidelines when obligating or expending funds for law enforcement activities from unobligated balances available on September 30, 2000.

Section 111. The conferees agree to include a provision proposed by the House and the Senate which allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the Department of State for health and medical services for Treasury employees in overseas locations.

Section 112. The conferees agree to include a provision proposed by the House and the Senate which requires the expenditure of funds so as not to diminish efforts under section 105 of the Federal Alcohol Administration Act.

Section 113. The conferees agree to include a provision proposed by the House and the Senate which authorizes transfers, up to 2 percent, between law enforcement appropriations under certain circumstances.

Section 114. The conferees agree to include a provision proposed by the Senate which authorizes the transfer, up to 2 percent, between the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of Public Debt appropriations under certain circumstances. A similar provision in the House bill did not make appropriations for the Treasury Inspector General for Tax Administration eligible for transfer.

Section 115. The conferees agree to include a provision proposed by the House and the Senate regarding the purchase of law enforcement vehicles.

Section 116. The conferees agree to include a provision proposed by the House and the Senate which authorizes voluntary separation incentives in the Office of Treasury Inspector General for Tax Administration.

Section 117. The conferees agree to include a provision proposed by the House which prohibits the Department of the Treasury and the Bureau of Engraving and Printing from redesigning the $1 Federal Reserve note. The Senate bill contained no similar provision.

Section 118. The conferees agree to include and modify a provision proposed by the House which authorizes Treasury law enforcement agencies to pay their protection officers premium pay in excess of the pay period limitation. The Senate bill contained no similar provision.

Section 119. The conferees agree to include a provision proposed by the House and the Senate which authorizes the Financial Management Service to offer voluntary separation incentives to employees of the Chicago Financial Center. The language included in the conference agreement includes technical corrections.

The conferees agree to delete a provision proposed by the Senate regarding the execution of judgments against property of foreign state violators of international law.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conferees agree to provide $93,436,000, as proposed by the House and the Senate and include a technical change to the bill language, as proposed by the House.

ETHANOL VEHICLES

The conferees are aware that the U.S. Postal Service has announced that it will purchase and deploy ethanol fuel vehicles over the next two years. The conferees expect the U.S. Postal Service to consider factors that will maximize the efficient placement of ethanol vehicles, including accessibility of ethanol and local support for implementation of the ethanol program. The conferees direct the U.S. Postal Service to report on the placement of the vehicles on an annual basis.

HAMMONDVILLE, ALABAMA

The conferees are concerned about the postal needs of the residents of Hammondville, Alabama, located in DeKalb County. The conferees recommend that the United States Postal Service study and evaluate the need for a post office in Hammondville, Alabama, working with local officials and community leaders. The conferees further recommend that the United States Postal Service report its findings to the Committees on Appropriations.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

The conferees agree to provide $52,444,000 as proposed by the House and the Senate and include a proviso that $10,313,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency, as proposed by the House.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES–

The conferees agree to provide $39,198,000 as proposed by the Senate instead of $39,448,000 as proposed by the House. –

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES–

The conferees agree to provide $63,495,000 as proposed by the House and the Senate and agree to delete a new provision authorizing the Office of Management and Budget to establish a National Intellectual Property Coordination Center, as proposed by the Senate. The conferees include a new provision in Title VI establishing a National Intellectual Property Law Enforcement Coordination Council.

Grant consolidation–

The conferees agree with and modify Senate report language on grant consolidation. The conferees direct the Director of the Office of Management and Budget to prepare an inventory of Federal grant programs including the name of the program, the statutory authorization, the eligibility criteria both statutory and regulatory and a copy of the grant application form for fiscal year 1999. The Director shall submit the inventory no later than six months after the date of enactment to the Committees on Appropriations and relevant authorizing committees.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES–

The conferees agree to provide $22,951,000 for the Office of National Drug Control Policy (ONDCP), instead of $52,221,000 as proposed by the House and $21,963,000 as proposed by the Senate. This includes $20,851,000 for operations, including support for clearinghouse and outreach activities, and assumes that $600,000 will be used for evaluation of the Drug-Free Communities Act program from within the amounts appropriated. The funding also provides $1,100,000 for policy research and evaluation, and $1,000,000 for model state drug law conferences.

ONDCP staffing

The conferees approve the request to provide four full time equivalent (FTE) positions in ONDCP, two for the High Intensity Drug Trafficking Areas (HIDTA) program and two for the Office of Financial Management. However, ONDCP has proven unable to fully utilize its current authorized FTE level of 124 during the past three years. Therefore, the conferees do not agree to increase the FTE ceiling, but direct that the new FTEs be taken from the existing FTEs allocated to the Office of Legislative Affairs, the Office of Public Affairs, or the Office of the Director. ONDCP is directed to report to the Committees on Appropriations by November 1, 1999, on how they have implemented this FTE reallocation.

ONDCP management review

The conferees agree that $125,000 of ONDCP's funds will be made available, by transfer, to the General Accounting Office (GAO). GAO is directed to use these funds to enter into a contract with an independent entity for the purpose of conducting a management review of ONDCP's operations. GAO

shall develop a scope of work that addresses the management concerns raised by the conferees and identified in Senate Report 106-87, perform the administrative duties necessary to award and monitor the contract, and ensure that the contractor deliverables are responsive to the scope of the contract. The conferees direct GAO to consult with the Committees on Appropriations on the parameters of this review.

Rural drug conferences–

The conferees are concerned about the spread of drugs and drug related crimes to rural areas and whether rural law enforcement can sufficiently address these new trends. Therefore, the conferees encourage the Director to consider convening a national conference on rural drug crime to include regional conferences in rural areas, such as those in South Carolina, Vermont, and Missouri, in order to assess the needs of rural law enforcement and the impact of drug related crimes.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

The conferees agree to provide $29,250,000 instead of $31,100,000 as proposed by the Senate. The House had proposed $29,250,000 in ONDCP's Salaries and Expenses Appropriation. The conferees agree to establish this new, separate appropriation account for the Counterdrug Technology Assessment Center (CTAC) as authorized in Public Law 105–277 and proposed by the Senate. It consists of $16,000,000 for the core research and assessment activities of CTAC, as well as $13,250,000 for the counterdrug technology transfer program.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

The conferees agree to provide $192,000,000 as proposed by the House instead of $205,277,000 as proposed by the Senate. The conferees provide that established HIDTAs will be funded at not less than the fiscal year 1999 levels and include $1,800,000 for auditing of the HIDTA program. The conferees also amend the House and Senate proposals to ensure that funding for programs addressing the treatment or prevention of drug use shall not be less than the funds obligated or expended for such programs during fiscal year 1999 for each designated HIDTA without the prior approval of the Committees on Appropriations.

Measures of HIDTA performance

The conferees know of the strong demand for the creation of new HIDTAs and expansion of existing ones, and believe that the funding provided in this bill will meet current requirements. The conferees agree that ONDCP and regional HIDTA organizations should be given a chance to manage this program to meet the standards of performance set forth in ONDCP's own performance measures of effectiveness (PMEs) for the HIDTA program. The ONDCP Director is responsible for applying the standards set forth in the HIDTA authorization when designating new HIDTAs, and allocation decisions should be consistent with the PMEs as well. In the fiscal year 1999, ONDCP was directed to provide a request for HIDTA funding based on these PMEs. Such justification has yet to be provided. With the two additional FTE that this bill provides to assist the HIDTA office, the conferees expect to see tangible assessment of the performance of individual HIDTAs and the HIDTA program overall. The conferees also expect that ONDCP will use this information to assess the optimal allocation of HIDTA funding and all future requests for HIDTA funding will be supported by PME data.

SPECIAL FORFEITURE FUND–

The conferees agree to provide $216,000,000 instead of $225,000,000 as proposed by the House and $127,500,000 as proposed by the Senate. This includes $185,000,000 for the National Youth Anti-Drug Media Campaign, $30,000,000 for the Drug-Free Communities Act, and $1,000,000 for the National Drug Court Institute. The conferees agree to eliminate the House report direction to GAO to conduct a review of management of the Drug-Free Community Act.

National Youth Anti-Drug Media Campaign

The conferees agree to provide a funding level of $185,000,000 for the National Youth Anti-Drug Media Campaign instead of $195,000,000 as proposed by the House and $96,500,000 as proposed by the Senate. Instead of the specific requirements listed in Senate report language, the conferees direct that ONDCP comply with the following requirements (in addition to those under the Drug-Free Media Campaign Act of 1998): (1) ONDCP will require a pro-bono match commitment up-front as part of its media buy from each and every seller of ad time and space; and (2) ONDCP, or any agent acting on its behalf, may not obligate any funds for the creative development of advertisements from for-profit organizations, not including out-of-pocket production costs and talent reuse payments, unless (A) the advertisements are intended to reach a minority, ethnic, or other special audience that cannot be obtained on a pro bono basis within the time frames required by ONDCP's advertising and buying agencies, and (B) ONDCP receives prior approval from the Committees on Appropriations. In addition, ONDCP shall report to the Committees by June 15, 2000, on the effectiveness of the National Youth Anti-Drug Media Campaign.

Corporate sponsorship–

In keeping with previous requirements to develop a corporate sponsorship plan, the conferees have added a provision prohibiting the obligation of 10% of the funding provided for the National Youth Anti-Drug Media Campaign until the ONDCP Director submits a corporate sponsorship plan to the Committees on Appropriations.

UNANTICIPATED NEEDS–

The conferees agree to provide $1,000,000 as proposed by the House instead of no appropriation as proposed by the Senate.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

The conferees agree to provide $2,674,000 as proposed by the House instead of $2,657,000 as proposed by the Senate.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conferees agree to provide $38,152,000 as proposed by the House instead of $38,175,000 as proposed by the Senate. The conferees have provided sufficient funds to support a total FTE level of 351.5 and agree with the House recommendation on staffing increases for the Office of General Counsel and the Audit Division.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conferees agree to provide $23,828,000 as proposed by the House instead of $23,681,000 as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The conferees agree to provide $5,342,416,000 in new obligational authority instead of $5,245,906,000 as proposed by the House and $5,244,478,000 as proposed by the Senate.

CONSTRUCTION AND ACQUISITION

The conferees agree to provide $74,979,000 instead of $8,000,000 as proposed by the House and $76,979,000 as proposed by the Senate. The conferees have included funding for the following projects:

Maryland: Montgomery County, FDA Consolidation	$35,000,000
Michigan: Sault Sainte Marie, Border Station	8,263,000
Montana: Roosville, Border Station–	753,000
Montana: Sweetgrass, Border Station	11,480,000
Texas: Fort Hancock, Border Station	277,000
Washington: Oroville, Border Station	11,206,000
Nationwide: Non-prospectus construction projects	8,000,000

The conferees have also agreed to rescind $20,782,000 of the funds provided for construction and acquisition of facilities in Public Law 104–208 as proposed by the Senate.

COURTHOUSE CONSTRUCTION

The conferees are aware of the Judiciary's continuing need to have additional court space available to conduct its business and move cases to settlement in a timely manner. The conferees are very concerned that a courthouse construction program was not included in the President's budget and that funding was not allocated for such a program in this bill. The conferees commend the Judicial Conference of the United States for undertaking an independent, comprehensive review of the courthouse construction program, which will address issues such as courtroom sharing and design guide conformance. This study should result in recommendations for improvements in the facilities program, which will be useful to the conferees in future years. However, the conferees agree that the current request based on the five year plan of the Judiciary is needed due to long-standing space, security, and operational deficiencies, and would have considered funding these priority projects if an adequate budget allocation were available.

REPAIRS AND ALTERATIONS

The conferees agree to provide $598,674,000 instead of $559,869,000 as proposed by the House and $607,869,000 as proposed by the Senate. Of the amount provided, $333,000,000 is for Basic Repairs and Alterations. The conferees have elected not to include amounts for specific projects and programs in the bill; however, the conferees direct the General Services Administration to provide to the Committees on Appropriations, within 15 days of enactment of this Act, a plan for expenditure of the funds which includes the specific projects and programs to be accomplished and the amount proposed for each.

The conferees have also agreed to include bill language proposed by the House which directs the General Services Administration to undertake the first construction phase of the project to renovate the Department of the Interior Headquarters Building in Washington, D.C.

The conferees encourage the General Services Administration to use $1,600,000 of the funds available for Basic Repairs and Alterations for repairs and alterations to the Kansas City Federal Courthouse at 811 Grand Avenue, Kansas City, Missouri, and $1,250,000 of the funds available for Basic Repairs and Alternation for repairs and alterations to the Federal Courthouse at 40 Center Street, New York, New York.

RENTAL OF SPACE

The conferees agree to provide $2,782,186,000 as proposed by the House instead of $2,722,982,500 as proposed by the Senate.

BUILDING OPERATIONS

The conferees agree to provide $1,580,909,000 instead of $1,590,183,000 as proposed by the House and $1,530,979,500 as proposed by the Senate. The conferees have agreed to provide language in the bill which provides that $1,974,000 of the funds provided for building operations shall be available for acquisition, lease, construction and equipping of flexiplace telecommuting centers as proposed by the House. The Senate had proposed to fund this item under the construction and acquisition of facilities activity. Of the funds provided for flexiplace telecommuting centers, $150,000 is for the center in Winchester, Virginia, and $200,000 is for the center in Woodbridge, Virginia.

The conferees have also agreed to provide $475,000 for the Plains States De-population symposium as proposed by the Senate.

COMBINED LAW ENFORCEMENT CENTER, ST. PETERSBURG, FLORIDA

The conferees are aware of the need for a combined federal, state, and local law enforcement center in St. Petersburg, Florida, and are further aware that the City of St. Petersburg is willing to donate to the federal government the land for such a facility. Accordingly, the conferees direct the General Services Administration to utilize $500,000 to undertake a study and conceptual design of a combined federal, state, and local law enforcement facility in St. Petersburg, Florida, and report to the Committees on Appropriations by February 1, 2000, on the results of that study.

POLICY AND OPERATIONS

The conferees agree to provide $116,223,000 instead of $110,448,000 as proposed by the House and $120,198,000 as proposed by the Senate. The amount provided includes $2,500,000 for the Rapid Service Valuation and Preparation Access Program, and $1,000,000 for the program to validate the access performance of information technology.

DIGITAL LEARNING TECHNOLOGIES

The conferees have also agreed to provide $2,000,000 to continue the pilot projects for the development, demonstration, and research of emerging digital learning technologies. Of the amount provided, $1,000,000 is to continue the development of a digital medical education project in connection with the Native American Digital Tele-Health Project, and $1,000,000 is to continue the development of hardware and software capabilities, network infrastructures, and other activities that will be the basis for the 21st Century Distributed Learning Environment in Education.

VIRTUAL ARCHIVE STORAGE TERMINAL

The conferees have agreed to provide $275,000 to study the feasibility of developing a prototype facility for storing land-based geographic and geophysical information to enable the efficient use of natural resources.

SECTION 1122 PROGRAM

Section 1122 of the Defense Department Authorization Act for fiscal year 1994 established a program under which states and units of local government may purchase ''law enforcement equipment suitable for counter-drug activities'' through the Department of Defense. The Act directed the General Services Administration (GSA), in cooperation with the Secretary of Defense, to produce and maintain a catalog of law enforcement equipment suitable for counter-drug activities that could be purchased under the program. The catalog of equipment that GSA is required to maintain is comprised of Federal Supply Schedules that have been established for the purchase of goods by Federal agencies. When the program was originally established, it consisted of 10 Federal Supply Schedules. However, in December of last year and February of this year, the program was greatly expanded to include over 90 schedules which would permit the purchase of goods which appear to be completely unrelated to counter-drug activities, such as lawn and garden equipment and musical instruments. The conferees believe that the expansion of this program goes far beyond what was intended in the authorizing legislation and is counter to the intent on Congress when it repealed the cooperative purchasing provisions of the Federal Acquisition Streamlining Act. As a result of the concerns expressed by the members of Congress about the program, on April 29, 1999, GSA wrote a letter to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology requesting that the Army, as Executive Agent of the program, inform the participating State Points of Contact that GSA would be returning the program to the original 10 Federal Supply Schedules. The conferees approve of this action and expect the General Services Administration and the Department of Defense to consult with the appropriate committees of the Congress before implementing any further expansions of this program.

PER DIEM RATES

The conferees are concerned that the methodology used by the GSA to develop the new per diem rates for the continental United States that became effective on January 1, 1999, has resulted in the unjustified lowering of per diem rates throughout the country. The conferees are aware that GSA is currently reviewing the rates issued in January to determine if modifications are warranted. The conferees urge GSA to continue its review and direct GSA to implement any changes in the rates necessary to assure that they more accurately reflect the cost of travel by federal workers. In addition, the conferees direct GSA to modify its procedures for determining per diem rates to assure that next year's survey accurately reflects the cost of federal travel.

FEDERAL OFFICE BUILDING IN COLORADO SPRINGS, COLORADO–

The Federal Building located at 1520 Willamette Avenue in Colorado Springs, Colorado, is owned by GSA and is currently leased to the U.S. Air Force Space Command. It is the conferees' understanding that Space Command is moving ahead with options to vacate the facility. In the event that Space Command does not renew its lease and the facility becomes vacant and is deemed surplus, the conferees urge GSA to strongly consider the U.S. Olympic Committee's (USOC) need for additional space and to give priority to the USOC's request to gain title or acquire the property.

OLD POST OFFICE BUILDING, WASHINGTON, D.C.–

The conferees have agreed to continue language for an additional fiscal year which provides that none of the funds appropriated in this Act may be used to convert the Old Post Office located at 1100 Pennsylvania Ave. in Washington, D.C.

OFFICE OF INSPECTOR GENERAL–

The conferees agree to provide $33,317,000 as proposed by the House instead of $33,858,000 as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS–

Section 401. The conferees agree to include a provision proposed by the House and the Senate which provides that accounts available to GSA shall be credited with certain funds received from government corporations.–

Section 402. The conferees agree to include a provision proposed by the House and the Senate which provides that funds available to GSA shall be available for the hire of passenger motor vehicles.–

Section 403. The conferees agree to include a provision proposed by the House and the Senate which authorizes GSA to transfer funds within the Federal Buildings Fund to meet program requirements subject to approval by the Committees on Appropriations.–

Section 404. The conferees agree to include a provision proposed by the House and the Senate which prohibits the use of funds to submit a fiscal year 2001 budget request for courthouse construction projects that do not meet design guide criteria, do not reflect the priorities of the Judicial Conference of the United States, and are not accompanied by a standardized courtroom utilization study.–

Section 405. The conferees agree to include a provision proposed by the House and the Senate which provides that no funds may be used to increase the amount of occupiable square feet or provide cleaning services, security enhancements, or any other service usually provided to any agency which does not pay the requested rental rates.–

Section 406. The conferees agree to include a provision proposed by the House and the Senate which provides that funds provided by the Information Technology Fund for pilot information technology projects may be repaid to the Fund.–

Section 407. The conferees agree to include a provision proposed by the House and the Senate which permits GSA to pay claims of up to $250,000 arising from construction projects and the acquisition of buildings.–

Section 408. The conferees agree to include a provision proposed by the House and the Senate which provides that funds made available for new construction projects in Public Law 104–208 shall remain available until expended so long as funds for design or other funds have been obligated in whole or in part prior to September 30, 1999.–

Section 409. The conferees agree to include a provision proposed by the Senate designating the Federal Building located at 220 East Rosser Avenue in Bismarck, North Dakota, as the ''William L. Guy Federal Building, Post Office and United States Courthouse''. The House bill contained no similar provision.–

Section 410. The conferees agree to modify a provision proposed by the Senate which directs the General Services Administration (GSA) to sell to the Columbia Hospital for Women vacant property at its GSA-appraised market value provided that until the federal government has received all payments towards the $14,000,000 purchase price, plus any accrued interest, Columbia's use of the property shall be limited to its hospital, medical and health care services and related uses (such as employee parking and employee child care), including but not limited to the expansion of its existing facilities, unless otherwise approved by the Administrator of GSA. –

Section 411. The conferees agree to include a new provision authorizing the Administrator of General Services to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the closing of the Federal Supply Service distribution centers, forward supply points, and associated programs.–

The conferees agree to delete a provision proposed by the Senate reducing the funds available for rental of space and building operations. The House bill contained no similar provision.–

The conferees agree to delete a provision proposed by the Senate which provides that

funds made available to any department or agency which is a member of the Joint Financial Management Improvement Program (JFMIP) may be used to finance an appropriate share of JFMIP salaries and administrative costs. This matter has been addressed in Title VI.–

The conferees agree to delete a provision proposed by the Senate which provides that the Administrator of General Services may provide from government-wide credit card rebates in support of the JFMIP as approved by the Chief Financial Officers Council. This matter has been addressed in Title VI.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

The conferees agree to provide $27,586,000 as proposed by the House instead of $27,422,000 as proposed by the Senate.

FEDERAL PAYMENT TO THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION–

The conferees agree to provide $2,000,000 instead of $1,000,000 as proposed by the House and no appropriation as proposed by the Senate.

ENVIRONMENTAL DISPUTE RESOLUTION FUND–

The conferees agree to provide $1,250,000 as proposed by the House instead of no appropriation as proposed by the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES–

The conferees agree to provide $180,398,000 as proposed by the House instead of $179,738,000 as proposed by the Senate.

VETERANS' RECORDS–

The conferees are pleased with the progress the National Archives and Records Administration is making in its efforts to improve its ability to respond to requests for veterans' records. The conferees are aware that the Archivist has testified that no additional resources are needed in fiscal year 2000 above the amount included in the budget request for this program. Therefore, the conferees have provided $1,790,000 for this effort, the same as the budget request. However, the conferees urge the Archives to expedite the completion of this very important program to the greatest extent possible.

REPAIRS AND RESTORATION–

The conferees agree to provide $22,418,000 instead of $13,518,000 as proposed by the House and $21,518,000 as proposed by the Senate. The amount provided includes $900,000 for design and the preparation of an environmental impact statement for a National Archives facility in Anchorage, Alaska. The conferees also have agreed to provide $8,000,000 for the repair, alteration, and improvement of the Ronald Reagan Presidential Library and Museum in Simi Valley, California, as proposed by the Senate. The conferees direct the National Archives and Records Administration to submit to the Committees on Appropriations a plan for expenditure prior to the obligation of these funds.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM–

The conferees agree to provide $6,250,000 as proposed by the Senate instead of $6,000,000 as proposed by the House. The amount provided includes $250,000 for a grant for research and the cataloging of records at the Fort Buford Historic Site in North Dakota.

GRANT TO CENTER FOR JEWISH HISTORY–

The conferees have agreed to rescind $2,000,000 of the funds provided in fiscal year 1999 for the Center for Jewish History instead of $4,000,000 as proposed by the House and $3,800,000 as proposed by the Senate. The conferees have taken this action because of the commitment made last year to provide funding for this project. However, as the conferees on the fiscal year 1999 Treasury and General Government Appropriations Act pointed out, a single grant of this size is far beyond the scope of activities normally undertaken by the National Historical Publications and Records Commission. Therefore, the conferees agree that this grant should not be viewed as a precedent for future grants under this program. In addition, the conferees direct the National Archives and Records Administration to submit to the Committees on Appropriations a plan for expenditure of the funds prior to the award of the grant to the Center for Jewish History.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES–

The conferees agree to provide $9,114,000 as proposed by the House instead of $9,071,000 as proposed by the Senate.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES–

The conferees agree to provide $90,584,000 as proposed by the House instead of $91,584,000 as proposed by the Senate.

CHILD CARE IN FEDERAL FACILITIES

The conferees have included and modified a House provision (Section 643) authorizing the use of funds for child care in federal facilities. Specifically, the conferees agree to make the provision effective for one year only, require that agencies using funds for the purposes of Section 643 notify the Committees on Appropriations prior to the obligation of any funds, and make the provision effective only upon promulgation of regulations by the Office of Personnel Management (OPM). Additionally, the conferees agree that these regulations shall only address the use of appropriated funds to provide child care services and improve the affordability of child care for lower income federal employees.

The conferees direct OPM to report to the Committees on the implementation and use of Section 634 by federal agencies. At minimum, the report shall include the total cost of implmenting Section 643, the total number of children being cared for, and the total number of federal employee dependent children being cared for by agencies using this authority. This report shall be submitted no later than September 1, 2000.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES –

The conferees agree to provide $9,740,000 as proposed by the House instead of $9,689,000 as proposed by the Senate.

CASELOADS–

The conferees are concerned about the number of backlogged cases at the Office of Special Counsel (OSC). The conferees direct OSC to report back within 90 days after enactment of this Act, on the number of cases pending that have exceeded the statutory time requirements, including requirements for referral. The report should include the length of time overdue, the reason for the delay, and the type of notification given to claimants when statutory time frames are not met. The data provided in the report should be presented in a manner that protects confidentiality of cases and does not identify individuals represented by the OSC.

UNITED STATES TAX COURT

SALARIES AND EXPENSES–

The conferees agree to provide $35,179,000 instead of $36,489,000 as proposed by the House and $34,179,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

Section 501. The conferees agree to continue the provision limiting the expenditure of funds to the current year unless expressly provided in this Act.–

Section 502. The conferees agree to continue the provision limiting the expenditure of funds for consulting services under certain conditions.

Section 503. The conferees agree to continue the provision prohibiting the use of funds to engage in activities which would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 504. The conferees agree to continue the provision prohibiting the transfer of control over the Federal Law Enforcement Training Center out of the Department of the Treasury.

Section 505. The conferees agree to continue the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 506. The conferees agree to continue the provision which requires compliance with the Buy American Act as proposed by the Senate, instead of similar language proposed by the House.

Section 507. The conferees agree to continue the provision concerning prohibition of contracts which use certain goods not made in America.

Section 508. The conferees agree to continue the provision prohibiting contract eligibility where fraudulent intent has been proven in affixing ''Made in America'' labels.

Section 509. The conferees agree to continue the provision prohibiting the expenditure of funds for abortions under the Federal Employees Health Benefits Program (FEHBP).

Section 510. The conferees agree to continue the provision which would authorize the expenditure of funds for abortions under the FEHBP if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 511. The conferees agree to continue the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 512. The conferees agree to continue the provision restricting the use of funds for the White House to request official background reports without the written consent of the individual who is the subject of the report as proposed by the House, instead of similar language proposed by the Senate.

Section 513. The conferees agree to continue the provision providing that fifty percent of unobligated balances of the White House Salaries and Expenses account in fiscal year 1997 shall remain available through September 30, 2000, as proposed by the House.

Section 514. The conferees agree to continue the provision that cost accounting standards under the Federal Procurement Policy Act shall not apply to the FEHBP, as proposed by the House.

Section 515. The conferees agree to direct the Director of the Office of Management and Budget to prepare and submit to Congress six months after the date of enactment an inventory of federal grant programs as proposed by the Senate.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601. The conferees agree to continue the provision authorizing agencies to pay costs of travel to the United States for the immediate families of federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 602. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 603. The conferees agree to continue the provision regarding price limitations on vehicles to be purchased by the federal government.

Section 604. The conferees agree to continue the provision allowing funds made available to agencies for travel to also be used for quarters allowances and cost-of-living allowances.

Section 605. The conferees agree to continue the provision prohibiting the Government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 606. The conferees agree to continue the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 607. The conferees agree to continue the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 608. The conferees agree to continue the provision providing that funds may be used to pay rent in the District of Columbia and other services.

Section 609. The conferees agree to continue the provision providing that no funds may be used to pay any person filling a nominated position that has been rejected by the Senate.

Section 610. The conferees agree to continue the provision precluding the financing of groups by more than one federal agency absent prior and specific statutory approval.

Section 611. The conferees agree to continue the provision authorizing the Postal Service to employ guards and give them the same special police powers as GSA guards.

Section 612. The conferees agree to continue the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 613. The conferees agree to continue the provision limiting the pay increases of certain prevailing rate employees.

Section 614. The conferees agree to continue the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 615. The conferees agree to continue the provision prohibiting the expenditure of funds for the acquisition of additional law enforcement training facilities.

Section 616. The conferees agree to continue the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 617. The conferees agree to continue the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 618. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment.

Section 619. The conferees agree to continue the provision prohibiting the use of funds for travel expenses not directly related to official governmental duties.

Section 620. The conferees agree to continue the provision prohibiting the purchase of new technology not Year 2000 compliant.

Section 621. The conferees agree to continue the provision prohibiting the importation of any goods manufactured by forced or indentured child labor.

Section 622. The conferees agree to continue the provision prohibiting the payment of the salary of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 623. The conferees agree to make permanent the provision to promote protection of federal law enforcement officers who intervene in certain situations.

Section 624. The conferees agree to continue the provision requiring the President to certify that persons responsible for administering the Drug Free Workplace Program are not themselves the subject of random drug testing.

Section 625. The conferees agree to continue the provision prohibiting federal training not directly related to the performance of official duties.

Section 626. The conferees agree to continue the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 627. The conferees agree to continue the provision prohibiting propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 628. The conferees agree to continue the provision directing OMB to provide an accounting statement and report on the cumulative costs and benefits of federal regulatory programs.

Section 629. The conferees agree to continue the provision prohibiting any federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order as proposed by the House, instead of similar language proposed by the Senate.

Section 630. The conferees agree to continue the provision authorizing the Secretary of the Treasury to establish scientific canine explosive detection standards.

Section 631. The conferees agree to continue the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 632. The conferees agree to continue the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 633. The conferees agree to continue the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 634. The conferees agree to continue and make permanent the provision allowing a federal firearms licensee to perform a background check before a firearm is offered as collateral for a loan as proposed by the House.

Section 635. The conferees agree to continue the provision addressing contraceptive coverage in health plans participating in the FEHBP as proposed by the Senate.

Section 636. The conferees agree to include a new provision authorizing the use of fiscal year 2000 funds to finance an appropriate share of the Joint Financial Management Improvement Program as proposed by the House.

Section 637. The conferees agree to include a new provision authorizing agencies to transfer funds to the Policy and Operations account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program as proposed by the House.

Section 638. The conferees agree to include and modify a new provision establishing a Chief Financial Officer in the Executive Office of the President as proposed by the House, making the provision effective with the next Administration.

Section 639. The conferees agree to include and modify a new provision authorizing the Federal Election Commission (FEC) to require certain committees to file FEC reports electronically as proposed by the House.

Section 640. The conferees agree to include and modify a new provision authorizing the FEC to establish an administrative fine schedule, subject to reasonable appeals procedures, for straightforward disclosure violations as proposed by the House.

Section 641. The conferees agree to include and modify a new provision authorizing candidate committees to report to the FEC on an election cycle basis rather than a calendar year cycle, as is now required, as proposed by the House.

Section 642. The conferees agree to include and modify a new provision amending Section 636 of the fiscal year 1997 Treasury, Postal Service and General Government Appropriations Act to require agencies to reimburse qualified employees up to one-half of the cost of their professional liability insurance as proposed by the House.

Section 643. The conferees agree to include and modify a new provision authorizing agencies to provide child care in federal facilities as proposed by the House.

Section 644. The conferees agree to include a new provision adjusting compensation of the President, effective at noon on January 20, 2001, to $400,000 as proposed by the House.

Section 645. The conferees agree to include a new provision which transfers personnel of the General Accounting Office employed to carry out functions of the Joint Financial Management Improvement Program to the General Services Administration as proposed by the House.

Section 646. The conferees agree to include and modify a new provision regarding federal employee pay as proposed by the House. The conferees anticipate that the President will issue an Executive Order allocating the 4.8 percent pay increase between an increase in rates of basic pay for the statutory pay systems under section 5303 of title 5, United States Code, and increases in comparability-based locality payments for General Schedule employees under section 5304. The conferees have not made the language more specific so that the President may exercise his discretion to distribute any amount allocated for comparability-based locality payments in the most appropriate fashion among the pay localities established by the President's Pay Agent.

Section 647. The conferees agree to include and modify a new provision authorizing breastfeeding at any location in a federal building or on federal property as proposed by the House.

Section 648. The conferees agree to include a new provision requiring identification of the federal agencies providing federal funds and the amount provided for all proposals, solicitations, grant applications, forms, notifications, press releases, or other publications related to the distribution of funding to a State as proposed by the Senate.

Section 649. The conferees agree to include and modify a new provision expressing the sense of Congress that the U.S. Postal Service is encouraged to issue a commemorative postage stamp in honor of the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States as proposed by the Senate.

Section 650. The conferees agree to include a new provision requiring the Secretary of Treasury to establish an interactive website on the Internet allowing any taxpayer to generate an itemized receipt showing the allocation of their taxes among major federal spending categories as proposed by the Senate.

Section 651. The conferees agree to a new provision authorizing voluntary early retirement for federal employees.

Section 652. The conferees include a new provision addressing rates of postage for the American Battle Monuments Commission.

Section 653. The conferees agree to a new provision establishing the National Intellectual Property Law Enforcement Coordination Council.

Section 654. The conferees agree to a new provision regarding the payment of mandatory benefits to retired members of the National Oceanic and Atmospheric Administration.

The conferees agree to delete a new provision providing that no funds may be used by Customs to admit for importation children's sleepwear that does not have a label required by the flammability standards in effect on September 9, 1996 as proposed by the House.–

The conferees agree to delete a provision proposed by the House adjusting the salary level of the U.S. Customs Service Commissioner.

The conferees agree to delete a provision proposed by the Senate requiring an evaluation of the outcome of welfare reform and formula for bonuses to high performance States as proposed by the Senate.

The conferees agree to delete a provision regarding the Border Patrol Academy in Charleston, South Carolina as proposed by the House.

TITLE VII—CHILD CARE CENTERS IN FEDERAL FACILITIES

The conferees agree to delete Title VII.

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 1999	27,922,712
Budget estimates of new (obligational) authority, fiscal year 2000	27,997,054
House bill, fiscal year 2000	27,800,105
Senate bill, fiscal year 2000	27,754,597
Conference agreement, fiscal year 2000	27,972,418
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1999	+49,706
Budget estimates of new (obligational) authority, fiscal year 2000	−24,636
House bill, fiscal year 2000	+172,313
Senate bill, fiscal year 2000	+217,821

JIM KOLBE,
FRANK R. WOLF,
ANN M. NORTHUP,
JO ANN EMERSON,
JOHN E. SUNUNU,
JOHN E. PETERSON,
ROY BLUNT,
BILL YOUNG,
STENY HOYER,
CARRIE P. MEEK,
DAVID E. PRICE,
LUCILLE ROYBAL-ALLARD,
DAVE OBEY,
Managers on the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
JON KYL,
TED STEVENS,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 283 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 417.

☐ 1548

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. HOBSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, time for general debate had expired.

Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule.

The text of H.R. 417 is as follows:

H.R. 417

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Bipartisan Campaign Finance Reform Act of 1999''.

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

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

Sec. 101. Soft money of political parties.
Sec. 102. Increased contribution limits for State committees of political parties and aggregate contribution limit for individuals.
Sec. 103. Reporting requirements.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. 201. Definitions.
Sec. 202. Express advocacy determined without regard to background music.
Sec. 203. Civil penalty.
Sec. 204. Reporting requirements for certain independent expenditures.
Sec. 205. Independent versus coordinated expenditures by party.
Sec. 206. Coordination with candidates.

TITLE III—DISCLOSURE

Sec. 301. Filing of reports using computers and facsimile machines.
Sec. 302. Prohibition of deposit of contributions with incomplete contributor information.
Sec. 303. Audits.
Sec. 304. Reporting requirements for contributions of $50 or more.
Sec. 305. Use of candidates' names.
Sec. 306. Prohibition of false representation to solicit contributions.
Sec. 307. Soft money of persons other than political parties.
Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

Sec. 401. Voluntary personal funds expenditure limit.
Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

Sec. 501. Codification of Beck decision.
Sec. 502. Use of contributed amounts for certain purposes.
Sec. 503. Limit on congressional use of the franking privilege.
Sec. 504. Prohibition of fundraising on Federal property.
Sec. 505. Penalties for violations.
Sec. 506. Strengthening foreign money ban.
Sec. 507. Prohibition of contributions by minors.
Sec. 508. Expedited procedures.
Sec. 509. Initiation of enforcement proceeding.
Sec. 510. Protecting equal participation of eligible voters in campaigns and elections.
Sec. 511. Penalty for violation of prohibition against foreign contributions.
Sec. 512. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
Sec. 513. Conspiracy to violate presidential campaign spending limits.
Sec. 514. Deposit of certain contributions and donations in Treasury account.
Sec. 515. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
Sec. 516. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

Sec. 601. Establishment and purpose of Commission.
Sec. 602. Membership of Commission.
Sec. 603. Powers of Commission.
Sec. 604. Administrative provisions.
Sec. 605. Report and recommended legislation.
Sec. 606. Expedited congressional consideration of legislation.
Sec. 607. Termination.
Sec. 608. Authorization of appropriations.

TITLE VII—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

Sec. 701. Prohibiting use of White House meals and accommodations for political fundraising.

TITLE VIII—SENSE OF THE CONGRESS REGARDING FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY

Sec. 801. Sense of the Congress regarding applicability of controlling legal authority to fundraising on Federal government property.

TITLE IX—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY

Sec. 901. Prohibition against acceptance or solicitation to obtain access to certain Federal government property.

TITLE X—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

Sec. 1001. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

Sec. 1101. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

Sec. 1201. Enhancing enforcement of campaign finance law.

TITLE XIII—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES
Sec. 1301. Ban on coordination of soft money for issue advocacy by presidential candidates receiving public financing.
TITLE XIV—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET
Sec. 1401. Requirement that names of passengers on Air Force One and Air Force Two be made available through the Internet.
TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS
Sec. 1501. Permitting consideration of privileged motion to expel House member accepting illegal foreign contribution.
TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS
Sec. 1601. Severability.
Sec. 1602. Review of constitutional issues.
Sec. 1603. Effective date.
Sec. 1604. Regulations.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''SOFT MONEY OF POLITICAL PARTIES

''SEC. 323. (a) NATIONAL COMMITTEES.—

''(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

''(1) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) FEDERAL ELECTION ACTIVITY.—

''(A) IN GENERAL.—The term 'Federal election activity' means—

''(i) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

''(ii) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

''(iii) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

''(B) EXCLUDED ACTIVITY.—The term 'Federal election activity' does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

''(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention;

''(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

''(v) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual's time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee's administrative and overhead expenses; and

''(vi) the cost of constructing or purchasing an office facility or equipment for a State, district or local committee.

''(c) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congressional campaign committee of a political party), an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, and an officer or agent acting on behalf of any such party committee or entity, shall not solicit any funds for, or make or direct any donations to, an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application to the Commissioner of the Internal Revenue Service for determination of tax-exemption under such section).

''(e) CANDIDATES.—

''(1) IN GENERAL.—A candidate, individual holding Federal office, agent of a candidate or individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of one or more candidates or individuals holding Federal office, shall not—

''(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act; or

''(B) solicit, receive, direct, transfer, or spend funds in connection with any election other than an election for Federal office or disburse funds in connection with such an election unless the funds—

''(i) are not in excess of the amounts permitted with respect to contributions to candidates and political committees under paragraphs (1) and (2) of section 315(a); and

''(ii) are not from sources prohibited by this Act from making contributions with respect to an election for Federal office.

''(2) STATE LAW.—Paragraph (1) does not apply to the solicitation, receipt, or spending of funds by an individual who is a candidate for a State or local office in connection with such election for State or local office if the solicitation, receipt, or spending of funds is permitted under State law for any activity other than a Federal election activity.

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.''.

SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE COMMITTEES OF POLITICAL PARTIES AND AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

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

(2) in subparagraph (C)—

(A) by inserting ''(other than a committee described in subparagraph (D))'' after ''committee''; and

(B) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) to a political committee established and maintained by a State committee of a political party in any calendar year that, in the aggregate, exceed $10,000''.

(b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$30,000''.

SEC. 103. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 204) is amended by inserting after subsection (d) the following:

''(e) POLITICAL COMMITTEES.—

''(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

''(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 323 APPLIES.—In addition to any other reporting requirements applicable under this Act, a political committee (not described in paragraph (1)) to which section 323(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2)(A) and (2)(B)(v) of section 323(b).

''(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

''(4) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of

the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

SEC. 201. DEFINITIONS.

(a) DEFINITION OF INDEPENDENT EXPENDITURE.—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—

''(A) IN GENERAL.—The term 'independent expenditure' means an expenditure by a person—

''(i) for a communication that is express advocacy; and

''(ii) that is not coordinated activity or is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''.

(b) DEFINITION OF EXPRESS ADVOCACY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) EXPRESS ADVOCACY.—

''(A) IN GENERAL.—The term 'express advocacy' means a communication that advocates the election or defeat of a candidate by—

''(i) containing a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in 1997', 'vote against', 'defeat', 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of one or more clearly identified candidates;

''(ii) referring to one or more clearly identified candidates in a paid advertisement that is transmitted through radio or television within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

''(iii) expressing unmistakable and unambiguous support for or opposition to one or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

''(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term 'express advocacy' does not include a communication which is in printed form or posted on the Internet that—

''(i) presents information solely about the voting record or position on a campaign issue of one or more candidates (including any statement by the sponsor of the voting record or voting guide of its agreement or disagreement with the record or position of a candidate), so long as the voting record or voting guide when taken as a whole does not express unmistakable and unambiguous support for or opposition to one or more clearly identified candidates;

''(ii) is not coordinated activity or is not made in coordination with a candidate, political party, or agent of the candidate or party, or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent, except that nothing in this clause may be construed to prevent the sponsor of the voting guide from directing questions in writing to a candidate about the candidate's position on issues for purposes of preparing a voter guide or to prevent the candidate from responding in writing to such questions; and

''(iii) does not contain a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in (year)', 'vote against', 'defeat', or 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates.''.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) a payment made by a political committee for a communication that—

''(I) refers to a clearly identified candidate; and

''(II) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).''.

SEC. 202. EXPRESS ADVOCACY DETERMINED WITHOUT REGARD TO BACKGROUND MUSIC.

Section 301(20) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(20)), as added by section 201(b), is amended by adding at the end the following new subparagraph:

''(C) BACKGROUND MUSIC.—In determining whether any communication by television or radio broadcast constitutes express advocacy for purposes of this Act, there shall not be taken into account any background music not including lyrics used in such broadcast.''.

SEC. 203. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)''; and

(ii) by adding at the end the following:

''(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).''; and

(B) in paragraph (6)(B), by inserting ''(except an action instituted in connection with a knowing and willful violation of section 304(c))'' after ''subparagraph (A)''; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''Any person'' and inserting ''Except as provided in subparagraph (D), any person''; and

(B) by adding at the end the following:

''(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.''.

SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended—

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) of subsection (c) as subsection (f); and

(3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

''(d) TIME FOR REPORTING CERTAIN EXPENDITURES.—

''(1) EXPENDITURES AGGREGATING $1,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $1,000 with respect to the same election as that to which the initial report relates.

''(2) EXPENDITURES AGGREGATING $10,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $10,000 with respect to the same election as that to which the initial report relates.

''(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

''(A) shall be filed with the Commission; and

''(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.''.

SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking ''and (3)'' and inserting '', (3), and (4)''; and

(2) by adding at the end the following:

''(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

''(A) IN GENERAL.—On or after the date on which a political party nominates a candidate, a committee of the political party shall not make both expenditures under this subsection and independent expenditures (as defined in section 301(17)) with respect to the candidate during the election cycle.

''(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

''(C) APPLICATION.—For the purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

''(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.''.

SEC. 206. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

(1) SECTION 301(8).—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

(i) by striking ''or'' at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting ''; or''; and

(iii) by adding at the end the following:

''(iii) coordinated activity (as defined in subparagraph (C)).''; and

(B) by adding at the end the following:

''(C) 'Coordinated activity' means anything of value provided by a person in coordination with a candidate, an agent of the candidate, or the political party of the candidate or its agent for the purpose of influencing a Federal election (regardless of whether the value being provided is a communication that is express advocacy) in which such candidate seeks nomination or election to Federal office, and includes any of the following:

''(i) A payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate's authorized committee, the political party of the candidate, or an agent acting on behalf of a candidate, authorized committee, or the political party of the candidate.

''(ii) A payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate's authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate's defeat).

''(iii) A payment made by a person based on information about a candidate's plans, projects, or needs provided to the person making the payment by the candidate or the candidate's agent who provides the information with the intent that the payment be made.

''(iv) A payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate's authorized committee in an executive or policymaking position.

''(v) A payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate's campaign or has participated in formal strategic or formal policymaking discussions (other than any discussion treated as a lobbying contact under the Lobbying Disclosure Act of 1995 in the case of a candidate holding Federal office or as a similar lobbying activity in the case of a candidate holding State or other elective office) with the candidate's campaign relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made.

''(vi) A payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate (including services provided through a political committee of the candidate's political party) in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign.

''(vii) A payment made by a person who has directly participated in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate.

''(viii) A payment made by a person who has communicated with the candidate or an agent of the candidate (including a communication through a political committee of the candidate's political party) after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member acting on behalf of the candidate), about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy.

''(ix) The provision of in-kind professional services or polling data (including services or data provided through a political committee of the candidate's political party) to the candidate or candidate's agent.

''(x) A payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (ix) for a communication that clearly refers to the candidate or the candidate's opponent and is for the purpose of influencing that candidates's election (regardless of whether the communication is express advocacy).

''(D) For purposes of subparagraph (C), the term 'professional services' means polling, media advice, fundraising, campaign research or direct mail (except for mailhouse services solely for the distribution of voter guides as defined in section 431(20)(B)) services in support of a candidate's pursuit of nomination for election, or election, to Federal office.

''(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.''.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

''(B) a coordinated activity, as described in section 301(8)(C), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking ''shall include'' and inserting ''includes a contribution or expenditure, as those terms are defined in section 301, and also includes''.

TITLE III—DISCLOSURE

SEC. 301. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES.

Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

''(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

''(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

''(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form, including the use of a facsimile machine, if not required to do so under the regulation promulgated under clause (i).

''(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

''(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.''.

SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS WITH INCOMPLETE CONTRIBUTOR INFORMATION.

Section 302 of Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following:

''(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of a candidate's authorized committee shall not deposit, except in an escrow account, or otherwise negotiate a contribution from a person who makes an aggregate amount of contributions in excess of $200 during a calendar year unless the treasurer verifies that the information required by this section with respect to the contributor is complete.''.

SEC. 303. AUDITS.

(a) RANDOM AUDITS.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''The Commission'';

(2) by moving the text 2 ems to the right; and

(3) by adding at the end the following:

''(2) RANDOM AUDITS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Commission may conduct random audits and investigations to ensure voluntary compliance with this Act. The selection of any candidate for a random audit or investigation shall be based on criteria adopted by a vote of at least four members of the Commission.

''(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a candidate's authorized committee under subparagraph (A) until the candidate is no longer a candidate for the office sought by the candidate in an election cycle.

''(C) APPLICABILITY.—This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under section 9007 or 9038 of the Internal Revenue Code of 1986.''.

(b) EXTENSION OF PERIOD DURING WHICH CAMPAIGN AUDITS MAY BE BEGUN.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended by striking ''6 months'' and inserting ''12 months''.

SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBUTIONS OF $50 OR MORE.

Section 304(b)(3)(A) of the Federal Election Campaign Act at 1971 (2 U.S.C. 434(b)(3)(A) is amended—

(1) by striking ''$200'' and inserting ''$50''; and

(2) by striking the semicolon and inserting '', except that in the case of a person who makes contributions aggregating at least $50 but not more than $200 during the calendar year, the identification need include only the name and address of the person;''.

SEC. 305. USE OF CANDIDATES' NAMES.

Section 302(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by striking paragraph (4) and inserting the following:

''(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

''(B) A political committee that is not an authorized committee shall not—

''(i) include the name of any candidate in its name; or

''(ii) except in the case of a national, State, or local party committee, use the name of any candidate in any activity on behalf of the committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.''.

SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441h) is amended—

(1) by inserting after ''SEC. 322.'' the following: ''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) SOLICITATION OF CONTRIBUTIONS.—No person shall solicit contributions by falsely representing himself or herself as a candidate or as a representative of a candidate, a political committee, or a political party.''.

SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITICAL PARTIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 103(c) and section 204) is amended by adding at the end the following:

''(g) DISBURSEMENTS OF PERSONS OTHER THAN POLITICAL PARTIES.—

''(1) IN GENERAL.—A person, other than a political committee of a political party or a person described in section 501(d) of the Internal Revenue Code of 1986, that makes an aggregate amount of disbursements in excess of $50,000 during a calendar year for activities described in paragraph (2) shall file a statement with the Commission—

''(A) on a monthly basis as described in subsection (a)(4)(B); or

''(B) in the case of disbursements that are made within 20 days of an election, within 24 hours after the disbursements are made.

''(2) ACTIVITY.—The activity described in this paragraph is—

''(A) Federal election activity;

''(B) an activity described in section 316(b)(2)(A) that expresses support for or opposition to a candidate for Federal office or a political party; and

''(C) an activity described in subparagraph (B) or (C) of section 316(b)(2).

''(3) APPLICABILITY.—This subsection does not apply to—

''(A) a candidate or a candidate's authorized committees; or

''(B) an independent expenditure.

''(4) CONTENTS.—A statement under this section shall contain such information about the disbursements made during the reporting period as the Commission shall prescribe, including—

''(A) the aggregate amount of disbursements made;

''(B) the name and address of the person or entity to whom a disbursement is made in an aggregate amount in excess of $200;

''(C) the date made, amount, and purpose of the disbursement; and

''(D) if applicable, whether the disbursement was in support of, or in opposition to, a candidate or a political party, and the name of the candidate or the political party.''.

(b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 201(b)) is further amended by adding at the end the following:

''(21) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means an activity that promotes a political party and does not promote a candidate or non-Federal candidate.''.

SEC. 308. CAMPAIGN ADVERTISING.

Section 318 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Whenever'' and inserting ''Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever'';

(ii) by striking ''an expenditure'' and inserting ''a disbursement''; and

(iii) by striking ''direct''; and

(B) in paragraph (3), by inserting ''and permanent street address'' after ''name''; and

(2) by adding at the end the following:

''(c) Any printed communication described in subsection (a) shall—

''(1) be of sufficient type size to be clearly readable by the recipient of the communication;

''(2) be contained in a printed box set apart from the other contents of the communication; and

''(3) be printed with a reasonable degree of color contrast between the background and the printed statement.

''(d)(1) Any communication described in paragraphs (1) or (2) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

''(2) If a communication described in paragraph (1) is transmitted through television, the communication shall include, in addition to the audio statement under paragraph (1), a written statement that—

''(A) appears at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

''(B) is accompanied by a clearly identifiable photographic or similar image of the candidate.

''(e) Any communication described in paragraph (3) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, in a clearly spoken manner, the following statement: '_____ is responsible for the content of this advertisement.' (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If transmitted through television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.''.

TITLE IV—PERSONAL WEALTH OPTION

SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 101, is further amended by adding at the end the following new section:

''VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT

''SEC. 324. (a) ELIGIBLE CONGRESSIONAL CANDIDATE.—

''(1) PRIMARY ELECTION.—

''(A) DECLARATION.—A candidate for election for Senator or Representative in or Delegate or Resident Commissioner to the Congress is an eligible primary election Congressional candidate if the candidate files with the Commission a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than the date on which the candidate files with the appropriate State officer as a candidate for the primary election.

''(2) GENERAL ELECTION.—

''(A) DECLARATION.—A candidate for election for Senator or Representative in or Delegate or Resident Commissioner to the Congress is an eligible general election Congressional candidate if the candidate files with the Commission—

''(i) a declaration under penalty of perjury, with supporting documentation as required by the Commission, that the candidate and the candidate's authorized committees did not exceed the personal funds expenditure limit in connection with the primary election; and

''(ii) a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than 7 days after the earlier of—

''(i) the date on which the candidate qualifies for the general election ballot under State law; or

''(ii) if under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date on which the candidate wins the primary or runoff election.

''(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

''(1) IN GENERAL.—The aggregate amount of expenditures that may be made in connection with an election by an eligible Congressional candidate or the candidate's authorized committees from the sources described in paragraph (2) shall not exceed $50,000.

''(2) SOURCES.—A source is described in this paragraph if the source is—

''(A) personal funds of the candidate and members of the candidate's immediate family; or

''(B) proceeds of indebtedness incurred by the candidate or a member of the candidate's immediate family.

''(c) CERTIFICATION BY THE COMMISSION.—

''(1) IN GENERAL.—The Commission shall determine whether a candidate has met the requirements of this section and, based on the determination, issue a certification stating whether the candidate is an eligible Congressional candidate.

''(2) TIME FOR CERTIFICATION.—Not later than 7 business days after a candidate files a declaration under paragraph (1) or (2) of subsection (a), the Commission shall certify whether the candidate is an eligible Congressional candidate.

''(3) REVOCATION.—The Commission shall revoke a certification under paragraph (1), based on information submitted in such form and manner as the Commission may require or on information that comes to the Commission by other means, if the Commission determines that a candidate violates the personal funds expenditure limit.

''(4) DETERMINATIONS BY COMMISSION.—A determination made by the Commission under this subsection shall be final, except to the extent that the determination is subject to examination and audit by the Commission and to judicial review.

''(d) PENALTY.—If the Commission revokes the certification of an eligible Congressional candidate—

''(1) the Commission shall notify the candidate of the revocation; and

''(2) the candidate and a candidate's authorized committees shall pay to the Commission an amount equal to the amount of expenditures made by a national committee of a political party or a State committee of a political party in connection with the general election campaign of the candidate under section 315(d).''.

SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED EXPENDITURES.

Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) (as amended by section 204) is amended by adding at the end the following:

''(5) This subsection does not apply to expenditures made in connection with the general election campaign of a candidate for Senator or Representative in or Delegate or Resident Commissioner to the Congress who is not an eligible Congressional candidate (as defined in section 324(a)).''.

TITLE V—MISCELLANEOUS

SEC. 501. CODIFICATION OF BECK DECISION.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

''(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

''(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organization in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

''(2) OBJECTION PROCEDURE.—The objection procedure required under paragraph (1) shall meet the following requirements:

''(A) The labor organization shall annually provide to employees who are covered by such agreement but are not members of the organization—

''(i) reasonable personal notice of the objection procedure, a list of the employees eligible to invoke the procedure, and the time, place, and manner for filing an objection; and

''(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unrelated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

''(B) If an employee who is not a member of the labor organization files an objection under the procedure in subparagraph (A), such organization shall—

''(i) reduce the payments in lieu of organization dues or fees by such employee by an amount which reasonably reflects the ratio that the organization's expenditures supporting political activities unrelated to collective bargaining bears to such organization's total expenditures; and

''(ii) provide such employee with a reasonable explanation of the organization's calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

''(3) DEFINITION.—In this subsection, the term 'expenditures supporting political activities unrelated to collective bargaining' means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.''.

SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by striking section 313 and inserting the following:

''USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES

''SEC. 313. (a) PERMITTED USES.—A contribution accepted by a candidate, and any other amount received by an individual as support for activities of the individual as a holder of Federal office, may be used by the candidate or individual—

''(1) for expenditures in connection with the campaign for Federal office of the candidate or individual;

''(2) for ordinary and necessary expenses incurred in connection with duties of the individual as a holder of Federal office;

''(3) for contributions to an organization described in section 170(c) of the Internal Revenue Code of 1986; or

''(4) for transfers to a national, State, or local committee of a political party.

''(b) PROHIBITED USE.—

''(1) IN GENERAL.—A contribution or amount described in subsection (a) shall not be converted by any person to personal use.

''(2) CONVERSION.—For the purposes of paragraph (1), a contribution or amount shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign or individual's duties as a holder of Federal officeholder, including—

''(A) a home mortgage, rent, or utility payment;

''(B) a clothing purchase;

''(C) a noncampaign-related automobile expense;

''(D) a country club membership;

''(E) a vacation or other noncampaign-related trip;

''(F) a household food item;

''(G) a tuition payment;

''(H) admission to a sporting event, concert, theater, or other form of entertainment not associated with an election campaign; and

''(I) dues, fees, and other payments to a health club or recreational facility.''.

SEC. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6) of title 39, United States Code, is amended by striking subparagraph (A) and inserting the following:

''(A) A Member of Congress shall not mail any mass mailing as franked mail during the 180-day period which ends on the date of the general election for the office held by the Member or during the 90-day period which ends on the date of any primary election for that office, unless the Member has made a public announcement that the Member will not be a candidate for reelection during that year or for election to any other Federal office.''.

SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL PROPERTY.

Section 607 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—

''(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. An individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, shall not solicit a donation of money or other thing of value in connection with a Federal, State, or local election while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

''(2) PENALTY.—A person who violates this section shall be fined not more than $5,000, imprisoned more than 3 years, or both.''; and

(2) in subsection (b), by inserting ''or Executive Office of the President'' after ''Congress''.

SEC. 505. PENALTIES FOR VIOLATIONS.

(a) INCREASED PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraphs (5)(A), (6)(A), and (6)(B), by striking ''$5,000'' and inserting ''$10,000''; and

(2) in paragraphs (5)(B) and (6)(C), by striking ''$10,000 or an amount equal to 200 percent'' and inserting ''$20,000 or an amount equal to 300 percent''.

(b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking the period at the end and inserting '', and may include equitable remedies or penalties, including disgorgement of funds to the Treasury or community service requirements (including requirements to participate in public education programs).''.

(c) AUTOMATIC PENALTY FOR LATE FILING.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following:

''(13) PENALTY FOR LATE FILING.—

''(A) IN GENERAL.—

''(i) MONETARY PENALTIES.—The Commission shall establish a schedule of mandatory monetary penalties that shall be imposed by the Commission for failure to meet a time requirement for filing under section 304.

''(ii) REQUIRED FILING.—In addition to imposing a penalty, the Commission may require a report that has not been filed within the time requirements of section 304 to be filed by a specific date.

''(iii) PROCEDURE.—A penalty or filing requirement imposed under this paragraph shall not be subject to paragraph (1), (2), (3), (4), (5), or (12).

''(B) FILING AN EXCEPTION.—

''(i) TIME TO FILE.—A political committee shall have 30 days after the imposition of a penalty or filing requirement by the Commission under this paragraph in which to file an exception with the Commission.

''(ii) TIME FOR COMMISSION TO RULE.—Within 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to exclusive review by the United States Court of Appeals for the District of Columbia Circuit under section 706 of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought.'';

(2) in paragraph (5)(D)—

(A) by inserting after the first sentence the following: ''In any case in which a penalty or filing requirement imposed on a political committee or treasurer under paragraph (13) has not been satisfied, the Commission may institute a civil action for enforcement under paragraph (6)(A).''; and

(B) by inserting before the period at the end of the last sentence the following: ''or has failed to pay a penalty or meet a filing requirement imposed under paragraph (13)''; and

(3) in paragraph (6)(A), by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)(A) or (13)''.

SEC. 506. STRENGTHENING FOREIGN MONEY BAN.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by striking the heading and inserting the following: ''CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS''; and

(2) by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—It shall be unlawful for—

''(1) a foreign national, directly or indirectly, to make—

''(A) a donation of money or other thing of value, or to promise expressly or impliedly

to make a donation, in connection with a Federal, State, or local election, or

''(B) a contribution or donation to a committee of a political party; or

''(2) a person to solicit, accept, or receive such a contribution or donation from a foreign national.''.

(b) PROHIBITING USE OF WILLFUL BLINDNESS AS DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN CONTRIBUTION BAN.—

(1) IN GENERAL.—Section 319 of such Act (2 U.S.C. 441e) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

''(b) PROHIBITING USE OF WILLFUL BLINDNESS DEFENSE.—It shall not be a defense to a violation of subsection (a) that the defendant did not know that the contribution originated from a foreign national if the defendant should have known that the contribution originated from a foreign national, except that the trier of fact may not find that the defendant should have known that the contribution originated from a foreign national solely because of the name of the contributor.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to violations occurring on or after the date of the enactment of this Act.

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101 and 401, is further amended by adding at the end the following new section:

''PROHIBITION OF CONTRIBUTIONS BY MINORS

''SEC. 325. An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.''.

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

''(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

''(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commission may order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

''(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

''(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

''(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint.''.

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

''(C) The Commission may at any time, by an affirmative vote of at least 4 of its members, refer a possible violation of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986, to the Attorney General of the United States, without regard to any limitation set forth in this section.''.

SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.

Section 309(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking ''reason to believe that'' and inserting ''reason to investigate whether''.

SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

''PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS

''SEC. 326. (a) IN GENERAL.—Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.

''(b) NO EFFECT ON GEOGRAPHIC RESTRICTIONS ON CONTRIBUTIONS.—Subsection (a) may not be construed to affect any restriction under this title regarding the portion of contributions accepted by a candidate from persons residing in a particular geographic area.''.

SEC. 511. PENALTY FOR VIOLATION OF PROHIBITION AGAINST FOREIGN CONTRIBUTIONS.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e), as amended by section 506(b), is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding any other provision of this title any person who violates subsection (a) shall be sentenced to a term of imprisonment which may not be more than 10 years, fined in an amount not to exceed $1,000,000, or both.

''(2) EXCEPTION.—Paragraph (1) shall not apply with respect to any violation of subsection (a) arising from a contribution or donation made by an individual who is lawfully admitted for permanent residence (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

SEC. 512. EXPEDITED COURT REVIEW OF CERTAIN ALLEGED VIOLATIONS OF FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) Notwithstanding any other provision of this section, if a candidate (or the candidate's authorized committee) believes that a violation described in paragraph (2) has been committed with respect to an election during the 90-day period preceding the date of the election, the candidate or committee may institute a civil action on behalf of the Commission for relief (including injunctive relief) against the alleged violator in the same manner and under the same terms and conditions as an action instituted by the Commission under subsection (a)(6), except that the court involved shall issue a decision regarding the action as soon as practicable after the action is instituted and to the greatest extent possible issue the decision prior to the date of the election involved.

''(2) A violation described in this paragraph is a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 relating to—

''(A) whether a contribution is in excess of an applicable limit or is otherwise prohibited under this Act; or

''(B) whether an expenditure is an independent expenditure under section 301(17).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after the date of the enactment of this Act.

SEC. 513. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN SPENDING LIMITS.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

''(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate's campaign, such candidate or agent shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.

''(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

SEC. 514. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, and 510, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 327. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319,

320, or 325 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST.—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code, against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to investigate whether that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

SEC. 515. ESTABLISHMENT OF A CLEARINGHOUSE OF INFORMATION ON POLITICAL ACTIVITIES WITHIN THE FEDERAL ELECTION COMMISSION.

(a) ESTABLISHMENT.—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) DISCLOSURE OF OTHER INFORMATION PROHIBITED.—The disclosure by the clearinghouse, or any officer or employee thereof, of any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—

(1) DUTIES.—The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse. In carrying out such duties, the Director shall—

(A) develop a filing, coding, and cross-indexing system to carry out the purposes of this section (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(B) notwithstanding any other provision of law, make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profitmaking purpose; and

(C) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this section in the most effective and efficient manner.

(2) APPOINTMENT.—The Director shall be appointed by the Federal Election Commission.

(3) TERM OF SERVICE.—The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) PENALTIES FOR DISCLOSURE OF INFORMATION.—Any person who discloses information in violation of subsection (b), and any person who sells or uses information for the purpose of soliciting contributions or for any profitmaking purpose in violation of subsection (c)(1)(B), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

(f) FOREIGN PRINCIPAL.—In this section, the term ''foreign principal'' shall have the same meaning given the term ''foreign national'' under section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e), as in effect as of the date of the enactment of this Act.

SEC. 516. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for the purposes of influencing such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

SEC. 601. ESTABLISHMENT AND PURPOSE OF COMMISSION.

There is established a commission to be known as the ''Independent Commission on Campaign Finance Reform'' (referred to in this title as the ''Commission''). The purposes of the Commission are to study the

laws relating to the financing of political activity and to report and recommend legislation to reform those laws.

SEC. 602. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—The Commission shall be composed of 12 members appointed within 15 days after the date of the enactment of this Act by the President from among individuals who are not incumbent Members of Congress and who are specially qualified to serve on the Commission by reason of education, training, or experience.

(b) APPOINTMENT.—

(1) IN GENERAL.—Members shall be appointed as follows:

(A) Three members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the Speaker of the House of Representatives.

(B) Three members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the majority leader of the Senate.

(C) Three members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the House of Representatives.

(D) Three members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the Senate.

(2) FAILURE TO SUBMIT LIST OF NOMINEES.—If an official described in any of the subparagraphs of paragraph (1) fails to submit a list of nominees to the President during the 15-day period which begins on the date of the enactment of this Act—

(A) such subparagraph shall no longer apply; and

(B) the President shall appoint three members (one of whom shall be a political independent) who meet the requirements described in subsection (a) and such other criteria as the President may apply.

(3) POLITICAL INDEPENDENT DEFINED.—In this subsection, the term ''political independent'' means an individual who at no time after January 1992—

(A) has held elective office as a member of the Democratic or Republican party;

(B) has received any wages or salary from the Democratic or Republican party or from a Democratic or Republican party office-holder or candidate; or

(C) has provided substantial volunteer services or made any substantial contribution to the Democratic or Republican party or to a Democratic or Republican party office-holder or candidate.

(c) CHAIRMAN.—At the time of the appointment, the President shall designate one member of the Commission as Chairman of the Commission.

(d) TERMS.—The members of the Commission shall serve for the life of the Commission.

(e) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(f) POLITICAL AFFILIATION.—Not more than four members of the Commission may be of the same political party.

SEC. 603. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. In carrying out the preceding sentence, the Commission shall ensure that a substantial number of its meetings are open meetings, with significant opportunities for testimony from members of the general public.

(b) QUORUM.—Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings. The approval of at least nine members of the Commission is required when approving all or a portion of the recommended legislation. Any member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

SEC. 604. ADMINISTRATIVE PROVISIONS.

(a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1) Each member of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(b) STAFF DIRECTOR.—The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a staff director, who shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) STAFF OF COMMISSION; SERVICES.—

(1) IN GENERAL.—With the approval of the Commission, the staff director of the Commission may appoint and fix the pay of additional personnel. The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum annual rate of basic pay payable for grade GS–15 of the General Schedule under section 5332 of title 5, United States Code.

(2) EXPERTS AND CONSULTANTS.—The Commission may procure by contract the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

SEC. 605. REPORT AND RECOMMENDED LEGISLATION.

(a) REPORT.—Not later than the expiration of the 180-day period which begins on the date on which the second session of the One Hundred Sixth Congress adjourns sine die, the Commission shall submit to the President, the Speaker and minority leader of the House of Representatives, and the majority and minority leaders of the Senate a report of the activities of the Commission.

(b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—The report under subsection (a) shall include any recommendations for changes in the laws (including regulations) governing the financing of political activity (taking into account the provisions of this Act and the amendments made by this Act), including any changes in the rules of the Senate or the House of Representatives, to which nine or more members of the Commission may agree, together with drafts of—

(1) any legislation (including technical and conforming provisions) recommended by the Commission to implement such recommendations; and

(2) any proposed amendment to the Constitution recommended by the Commission as necessary to implement such recommendations, except that if the Commission includes such a proposed amendment in its report, it shall also include recommendations (and drafts) for legislation which may be implemented prior to the adoption of such proposed amendment.

(c) GOALS OF RECOMMENDATIONS AND LEGISLATION.—In making recommendations and preparing drafts of legislation under this section, the Commission shall consider the following to be its primary goals:

(1) Encouraging fair and open Federal elections which provide voters with meaningful information about candidates and issues.

(2) Eliminating the disproportionate influence of special interest financing of Federal elections.

(3) Creating a more equitable electoral system for challengers and incumbents.

SEC. 606. EXPEDITED CONGRESSIONAL CONSIDERATION OF LEGISLATION.

(a) IN GENERAL.—If any legislation is introduced the substance of which implements a recommendation of the Commission submitted under section 605(b) (including a joint resolution proposing an amendment to the Constitution), subject to subsection (b), the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of the legislation in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) SPECIAL RULES.—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on House Oversight of the House of Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on Rules and Administration of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the recommendation involved is submitted under section 605(b).

(3) Notwithstanding subsection (d)(2) of section 2908 of such Act—

(A) debate on the legislation in the House of Representatives, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation;

(B) debate on the legislation in the Senate, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation; and

(C) debate in the Senate on any single debatable motion and appeal in connection with the legislation shall be limited to not more than 1 hour, divided equally between the mover and the manager of the bill (except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee), and the majority and minority leader may each allot additional time from time under such leader's control to any Senator during the consideration of any debatable motion or appeal.

SEC. 607. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section 605.

SEC. 608. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums as are necessary to carry out its duties under this title.

TITLE VII—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

SEC. 701. PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 612. Prohibiting use of meals and accommodations at White House for political fundraising

''(a) It shall be unlawful for any person to provide or offer to provide any meals or accommodations at the White House in exchange for any money or other thing of value, or as a reward for the provision of any money or other thing of value, in support of any political party or the campaign for electoral office of any candidate.

''(b) Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

''(c) For purposes of this section, any official residence or retreat of the President (including private residential areas and the grounds of such a residence or retreat) shall be treated as part of the White House.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''612. Prohibiting use of meals and accommodations at White House for political fundraising.''.

TITLE VIII—SENSE OF THE CONGRESS REGARDING FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY

SEC. 801. SENSE OF THE CONGRESS REGARDING APPLICABILITY OF CONTROLLING LEGAL AUTHORITY TO FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY.

It is the sense of the Congress that Federal law clearly demonstrates that ''controlling legal authority'' under title 18, United States Code, prohibits the use of Federal Government property to raise campaign funds.

TITLE IX—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY

SEC. 901. PROHIBITION AGAINST ACCEPTANCE OR SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY.

(a) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 226. Acceptance or solicitation to obtain access to certain Federal Government property

''Whoever solicits or receives anything of value in consideration of providing a person with access to Air Force One, Marine One, Air Force Two, Marine Two, the White House, or the Vice President's residence, shall be fined under this title, or imprisoned not more than one year, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end the following new item:

''226. Acceptance or solicitation to obtain access to certain Federal Government property.''.

TITLE X—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

SEC. 1001. REQUIRING NATIONAL PARTIES TO REIMBURSE AT COST FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, and 515, is further amended by adding at the end the following new section:

''REIMBURSEMENT BY POLITICAL PARTIES FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

''SEC. 328. (a) IN GENERAL.—If the President, Vice President, or the head of any executive department (as defined in section 101 of title 5, United States Code) uses Air Force One for transportation for any travel which includes a fundraising event for the benefit of any political committee of a national political party, such political committee shall reimburse the Federal Government for the fair market value of the transportation of the individual involved, based on the cost of an equivalent commercial chartered flight.

''(b) AIR FORCE ONE DEFINED.—In subsection (a), the term 'Air Force One' means the airplane operated by the Air Force which has been specially configured to carry out the mission of transporting the President.''.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

SEC. 1101. PROHIBITING CAMPAIGNS FROM PROVIDING CURRENCY TO INDIVIDUALS FOR PURPOSES OF ENCOURAGING TURNOUT ON DATE OF ELECTION.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, and 1001, is further amended by adding at the end the following new section:

''PROHIBITING USE OF CURRENCY TO PROMOTE ELECTION DAY TURNOUT

''SEC. 329. It shall be unlawful for any political committee to provide currency to any individual (directly or through an agent of the committee) for purposes of encouraging the individual to appear at the polling place for the election.''.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

SEC. 1201. ENHANCING ENFORCEMENT OF CAMPAIGN FINANCE LAW.

(a) MANDATORY IMPRISONMENT FOR CRIMINAL CONDUCT.—Section 309(d)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is amended—

(1) in the first sentence, by striking ''shall be fined, or imprisoned for not more than one year, or both'' and inserting ''shall be imprisoned for not fewer than 1 year and not more than 10 years''; and

(2) by striking the second sentence.

(b) CONCURRENT AUTHORITY OF ATTORNEY GENERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

''(4) In addition to the authority to bring cases referred pursuant to subsection (a)(5), the Attorney General may at any time bring a criminal action for a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to actions brought with respect to elections occurring after January 1999.

TITLE XIII—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES

SEC. 1301. BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY BY PRESIDENTIAL CANDIDATES RECEIVING PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY.—

''(1) IN GENERAL.—No candidate for election to the office of President or Vice President who is certified to receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 may coordinate the expenditure of any funds for issue advocacy with any political party unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.

''(2) ISSUE ADVOCACY DEFINED.—In this section, the term 'issue advocacy' means any activity carried out for the purpose of influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations (without regard to whether the activity is carried out for the purpose of influencing any election for Federal office).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE XIV—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

SEC. 1401. REQUIREMENT THAT NAMES OF PASSENGERS ON AIR FORCE ONE AND AIR FORCE TWO BE MADE AVAILABLE THROUGH THE INTERNET.

(a) IN GENERAL.—The President shall make available through the Internet the name of any non-Government person who is a passenger on an aircraft designated as Air Force One or Air Force Two not later than 30 days after the date that the person is a passenger on such aircraft.

(b) EXCEPTION.—Subsection (a) shall not apply in a case in which the President determines that compliance with such subsection would be contrary to the national security interests of the United States. In any such case, not later than 30 days after the date that the person whose name will not be made available through the Internet was a passenger on the aircraft, the President shall submit to the chairman and ranking member of the Permanent Select Committee on Intelligence of the House of Representatives and of the Select Committee on Intelligence of the Senate—

(1) the name of the person; and

(2) the justification for not making such name available through the Internet.

(c) DEFINITION OF PERSON.—As used in this Act, the term ''non-Government person'' means a person who is not an officer or employee of the United States, a member of the Armed Forces, or a Member of Congress.

TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS

SEC. 1501. PERMITTING CONSIDERATION OF PRIVILEGED MOTION TO EXPEL HOUSE MEMBER ACCEPTING ILLEGAL FOREIGN CONTRIBUTION.

(a) IN GENERAL.—If a Member of the House of Representatives is convicted of a violation of section 319 of the Federal Election Campaign Act of 1971 (or any successor provision prohibiting the solicitation, receipt, or acceptance of a contribution from a foreign national), the Committee on Standards of Official Conduct, shall immediately consider the conduct of the Member and shall make a report and recommendations to the House forthwith concerning that Member which may include a recommendation for expulsion.

(b) EXERCISE OF RULEMAKING AUTHORITY.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the House of Representatives to change the rule at any time, in the same manner and to the same extent as in the case of any other rule of the House of Representatives.

TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 1601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 1602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 1603. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect upon the expiration of the 90-day period which begins on the date of the enactment of this Act.

SEC. 1604. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 45 days after the date of the enactment of this Act.

The CHAIRMAN. No amendment is in order except those printed in House Report 106–311. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider amendment No. 1 printed in House Report 106–311.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

Mr. WHITFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. Whitfield:

Page 12, insert after line 8 the following:

(c) INCREASE IN INDIVIDUAL CONTRIBUTION LIMIT.—Section 315(a)(1)(A) of such Act (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'' and inserting ''$3,000''.

MODIFICATION TO AMENDMENT NO. 1, OFFERED BY MR. WHITFIELD

Mr. WHITFIELD. Mr. Chairman, I ask unanimous consent to make a technical correction to the amendment.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment No. 1, as modified, offered by Mr. WHITFIELD:

The amendment is modified as follows:

Page 21, insert after line 17 the following:

(c) INCREASE IN INDIVIDUAL CONTRIBUTION LIMIT.—Section 315(a)(1)(A) of such Act (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'' and inserting ''$3,000''.

Mr. WHITFIELD. (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Is there objection to the initial request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Without objection, the modification is agreed to.

Pursuant to House Resolution 283, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I would like to commend the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) for their commitment to their cause on this important issue. They have worked hard on this bill last year, as well as this year.

I would like to make it clear as I discuss this amendment that I do oppose the bill, but this amendment I do honestly believe will improve the bill.

I would like to say briefly why I oppose this bill. I oppose it primarily because it changes the definition of ''express advocacy''. The Supreme Court has made it very clear repeatedly that there is a bright line test. If an ad does not expressly advocate the defeat of the election of a candidate, it is not express advocacy. They change it to say that any ad run within 60 days of an election is express advocacy, by definition.

Now, when I ran in 1998, labor unions came into my district and they spent about $600,000 or $700,000 running issue advocacy ads about my voting record. They did not expressly advocate my defeat or my election, but it was clear that they did not support my position. I did not like that, and it was done within 60 days of the election, but I do believe that they have the right to do that. That is what this debate really is all about. That is their first amendment right. The courts who have considered this amendment on 18 separate occasions have ruled that they do have that right every single time.

Just yesterday in my hometown paper of Paducah, a group ran an ad about my position on campaign finance reform. Had they run that ad 60 days, within 60 days of an election, they would not have had the right to do it under Shays-Meehan unless they met all of the hard money requirements and went to the FEC and so forth. That is why the courts have said you cannot create these kinds of obstructions to participating in political speech.

That is the reason I primarily object to this legislation. I am convinced that if it goes to the courts, that it will be overruled.

The amendment that I offer today is simply this. It increases from $1,000 to $3,000 the amount of money that an individual can contribute to a candidate under the hard money requirements. We could make an argument that this legislation, instead of being campaign finance reform, is really incumbent protection, because it reduces the rights of other people to speak but not candidates themselves.

All of us know that as an incumbent, we can better obtain political action committee money than our challengers can. There is not anything in this bill, the Shays-Meehan bill, that would affect political action committee money.

So this amendment would simply increase from $1,000 to $3,000 the amount that an individual can contribute to a candidate. It has not been changed since 1974. Although I am not excited about helping challengers raise money, my amendment will help them at least be more competitive in raising money. Therefore, I do not really understand how anybody could object to this amendment.

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

Mr. FARR of California. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I hope our Members are listening to this debate, or more importantly, are reading what this campaign finance reform bill is all about. It is about reform. It is about campaign reform. It is not about doing what the American public does not want us to do, getting more money into politics.

We just had a break. Most of us were home. I never had one question, somebody coming up and saying, the problem with America right now is you are not spending enough money in your campaigns. Why do you not spend more money?

I find it ironic that the party that wants to cut, squeeze, and trim government, comes here and says, ladies and gentlemen, we want to cut Federal Government, but when it comes to electing Federal Members of Congress, just spend all the money you can, just making it obscene. We do not need to raise the limit, we need to limit what people are going to spend.

So look at this amendment. Look at what it says. There are people that say,

well, if we raise more money, we spend less time. We just have to make fewer phone calls. That is not true, this is an arms race out there. We spend as much time raising money as the process allows. Unfortunately, it allows too much. We find that a candidate's spending has gone up at a rate of 50 percent greater than the rate of inflation since 1974, two to three times the rate of increase in the wages of ordinary citizens.

Large donors in America are, listen to this, are disproportionately white, male, and from high status occupations, and more conservative.

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

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first of all, I would like to point out there are 16 States that do not have any limits on the amount of money that can be given to candidates. The American people seem to be more concerned about the soft money issue than they do the hard money issue.

The money that I am talking about today increasing from $1,000 to $3,000 is hard money. Anybody can go get an FEC report. They can read who gives us the money, the dates they give the money, their occupation, their address. All of that information is available.

I would just say that the American people have a right to know the issues in these political campaigns. We have more money spent on America today advertising pizza, Coca-Cola, and toothpaste than we do issues in political campaigns.

So I would urge everyone to vote for this amendment, because I do think that it will be a small step in removing the incumbent protection that the Shays-Meehan bill provides.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. UDALL), the outstanding new Member of Congress.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I thank my colleague, the gentleman from the great State of California, for yielding time to me.

Mr. Chairman, I rise in support of the Shays-Meehan bill and in opposition to the substitutes.

Mr. Chairman, earlier this year I urged the House to pass legislation before the race for the year 2000 begins. But if we read the newspaper and watch the news, it is clear that the 2000 year election has already begun. Candidates for president and Congress and Political Action Committees are breaking fund-raising records at phenomenal rates. More and more time is being spent raising money, and this translates into less time being spent doing our duties to support the public and represent our citizens.

The high cost of campaigns is unfairly restricting dedicated, qualified people from running for public office, and is putting elected officials in a position of having to choose between spending their time doing their jobs or raising money. Unlimited soft money contributions are continuing to allow special interests to buy political access.

Mr. Chairman, this must change. To my colleagues, I say, of all the issues we address this year, none is more important. Let us pass this moderate, reasonable campaign finance reform law now.

Mr. FARR of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. GANSKE).

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

□ 1600

Mr. GANSKE. Mr. Chairman, I rise in opposition to these amendments, to the two Whitfield amendments, and in support of Shays-Meehan.

With due respect to the gentleman from Kentucky (Mr. WHITFIELD), I do not think we need to add more money to the system. In 1996, I was the target of over $2 million in independent expenditures, sham issue ads. In my campaign, I was able to raise with the $1,000 per election limits for individuals and the $5,000 per election limits for PACs about $1.8 million.

Under these amendments, one would be able then to raise $6,000 essentially from an individual for one's primary and for one's general election, $12,000 per couple in addition to thousands of dollars extra from members, adult members of their family. I do not think we need to do that. I think that just increases the money in the system.

Let me give my colleagues one example. Governor George Bush is doing a marvelous job as a Republican presidential candidate raising funds. He has raised over $50 million, $1,000 at a time per individual, $5,000 per PAC. Those are under current limits. We do not need more of that.

Mr. FARR of California. Mr. Chairman, how much time is remaining on each side?

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. WHITFIELD) has expired. The gentleman from California (Mr. FARR) has 1½ minutes remaining.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Chairman, I thank the gentleman from California (Mr. FARR) for his leadership on this issue and all that has been involved with reform.

Going from $1,000 to $3,000 is not going to solve the problem. It is going in the opposite direction. People who I represent have difficulty with $50 and $100, and they feel that they are not part of the political process in that, in fact, it is separate and apart from their daily lives and the concerns that they have and that they are experiencing around the kitchen table every night.

By bringing the process closer to them is where we should be going, not getting further away from them. We must make them part of the political process. We must have campaign finance reform.

In this Congress, we have passed laws that have brought Congress in light in reforms of lobbyists' gifts, meals, and trips that were offered to Members of Congress and changed the way that Congress has operated. We need to make sure that we change the way campaigns are financed and the way campaigns are operated so that the American public feels part of this political process, that we are here to serve the public interest and be here in the public interest as public servants.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this first Whitfield amendment, the first amendment we are considering, because this is a poison pill. It breaks apart the coalition of support for the Shays-Meehan by tripling the individual contributions. This same amendment was defeated in a bipartisan vote last year on a vote of 102 to 315. I ask Members to repeat last year's action and defeat this amendment.

The CHAIRMAN. All time is expired.

The question is on the amendment, as modified, offered by the gentleman from Kentucky (Mr. WHITFIELD).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WHITFIELD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) will be postponed.

It is now in order to consider Amendment No. 2 printed in House Report 106–311.

AMENDMENT NO. 2 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I am the designated presenter of this amendment, and I offer amendment No. 2 for the gentleman from Kentucky (Mr. WHITFIELD).

The CHAIRMAN. Is the gentleman from California (Mr. DOOLITTLE) the designee for amendment No. 2?

Mr. DOOLITTLE. I am, Mr. Chairman.

PARLIAMENTARY INQUIRY

Mr. HOYER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, I do not know that I am going to object, but my point of inquiry is, does the rule provide for designees?

The CHAIRMAN. The rule permits the proponent of an amendment to designate another member to offer the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment no. 2 offered by Mr. DOOLITTLE:

Page 12, line 8, strike ''$30,000'' and insert ''$75,000''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a corollary to the last amendment that we took up. This is the aggregate for what large donors can give, adjusting it for inflation, as the last amendment adjusted the individual limit.

This is important. I hear people get up and say, well, gee, there is no problem raising the $1.8 million at $1,000 a pop. Well, that is not what most people say. In fact, good candidates have thrown up their hands in despair. We just had a couple, a Republican in New Jersey for the U.S. Senate and a Democrat in Nevada, they both just pulled out in part because of this problem of the limits.

In fact, I will see if I can find quickly the quote here. I am not going to find it, so I will have to use it later. She just basically felt like the present limits were just demanding so much consumption of time. This was the Democrat from Nevada who decided not to run for the Senate, that it was not worth making the effort.

Mr. Chairman, this is what we are increasingly seeing. Why are we creating the system and tolerating the system that allows only the wealthy or in a sense only the wealthy to run. They spend all of their own money they want. They do not have to raise a dime. But, boy, if one does not have wealth, one has got to go out and grind it out at $1,000 a pop. For U.S. Senate races in large States that is $20 million or more.

So, yes, we are discouraging people of average means from running, from exercising their First Amendment rights.

This amendment here is intended to modify the system, to give effect to what even many on the other side say, yes, it is reasonable, we ought to allow the adjustment of the limits for inflation. It is allowing that to occur and doing it with reference to the aggregate, individual contribution limit.

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

Mr. UDALL of New Mexico. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New Mexico (Mr. UDALL) is recognized for 5 minutes.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in opposition to the Whitfield amendment to the Shays-Meehan campaign finance reform bill. This amendment is a poison pill that ruins the integrity of campaign finance reform and breaks apart the coalition of support for Shays-Meehan.

Under this amendment, annual individual contribution limits for Federal elections would triple from $25,000 to $75,000, increasing the influence the wealthiest individuals have on congressional campaigns.

When only one-quarter of 1 percent of the American people contribute in excess of $200 to federal campaigns, raising the contribution limits moves reform in exactly the wrong direction. We need to encourage smaller contributions below $200, not mandate and encourage larger and larger sums.

Last year's coalition that passed Shays-Meehan proved that there is a strong support for campaign finance reform legislation. Today we have the opportunity to once again do the right thing for the American people.

A vote for the Whitfield amendment is a poison pill that campaign finance reformers and the American public cannot swallow. A vote to increase the influence of hard working American families is a vote ''no'' on this amendment and a vote for final passage of Shays-Meehan.

Mr. Chairman, I yield 1½ minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentleman from New Mexico for yielding me this time.

Mr. Chairman, this is an absurd amendment which would take us in precisely the wrong direction. My constituents in Vermont ask me many questions, and they raise many concerns. But I can honestly say no Vermonter has ever come up to me and said, ''Bernie, the major problem I face is that I can only contribute $25,000 to candidates, and you have got to raise that ceiling so that I can now contribute $75,000.'' No Vermonter has ever asked me that, and I suspect no Vermonter ever will ask me that.

The great crisis in our democracy right now is that the wealthiest one-quarter of 1 percent of the population contribute 80 percent of the campaign monies that candidates receive. The great crisis of our time is that big money dominates both political parties and that ordinary Americans are giving up because they believe that their one vote does not mean anything compared to the huge contributions that the big corporations and wealthy individuals make.

To raise the level to $75,000 per person is moving us in exactly the wrong direction. In fact, what we need to do now is what Shays-Meehan says, and that is to end the soft money pollution that currently exists, to go even further than that so that ordinary people can regain the power that this democracy is supposed to provide them.

MODIFICATION TO AMENDMENT NO. 2 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I ask unanimous consent that the modification I placed at the desk be adopted.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 2, as modified, offered by Mr. DOOLITTLE:

The amendment is modified as follows:

Page 12, line 17, strike ''$30,000'' and insert ''$75,000''.

The CHAIRMAN. Is there objection to the request of the gentleman from California.

Mr. CAMPBELL. Reserving the right to object, Mr. Chairman, under my reservation, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, unfortunately when these amendments were drafted, and there will be, I believe, other requests, the page numbers and line numbers do not match up with what in fact is the base bill. So that is the purpose of asking to make this modification.

Mr. CAMPBELL. Mr. Chairman, the gentleman is entitled to have his amendment debated in the form that he wishes.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. DOOLITTLE. Mr. Chairman, may I inquire as to how much time remains on each side.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 3 minutes remaining. The gentleman from New Mexico (Mr. UDALL) has 1½ minutes remaining.

Mr. DOOLITTLE. Mr. Chairman, I believe I have the right to close.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has the right to close.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Chairman, this amendment seeks to triple the aggregate contribution or limit to $75,000. I mean, how many contributors in this country give $75,000? The average House race today costs probably about $700,000. I can guarantee my colleagues that if they made it Federal law to approve amendment No. 1 and amendment No. 2 that they would be doubling or tripling the average cost for a House race.

Now, some would give the full amount. But this, in my opinion, would actually increase the amount of time that Members spend on the phone and candidates or challengers spend on the phone. It is a poorly thought out amendment. We ought to reject it. We should not increase the amount of money in this political fund-raising chase.

We should actually stick with the limits that we have now. I would consider both of these amendments to be

amendments which would benefit a very, very small percentage of the population in terms of increasing their access in the political system at the expense of the majority, the vast majority of givers who give $50 or $100.

Mr. DOOLITTLE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is why debating this issue with these folks is so maddening. They tell us about all the problems of soft money. It is clear that we have these problems because of the limits that they refuse to adjust on hard money. Then when we attempt to adjust them for hard money, they talk about how unreasonable it is that we triple the limits. Well, inflation tripled.

□ 1615

If that was reasonable, why can we not adjust the limitation? We vote to do that every year for Social Security recipients, federal retirees, everybody. Why is that unreasonable when it comes to campaigns?

Look at this. Lamar Alexander, when he ran for president in 1996: ''Contribution and spending limits forced me to spend 70 percent of my time raising money in amounts no greater than $1,000.''

That is outrageous. That is what the guy in Vermont does not understand. Let me tell my colleagues, he expects us, knowing what we know, to make the right changes. That is why we need to pass this amendment.

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

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is an issue of campaign finance reform. It is not a Democratic issue. It is not a Republican issue. It is a bipartisan problem that requires a bipartisan solution.

I would ask all of us to look at it in that way Democrats, Republicans, Independent, and see that we do the right thing for America.

Mr. DOOLITTLE. Mr. Chairman, I have how much time remaining?

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 2 minutes remaining.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I agree with the gentleman that the campaign finance reform system is a mess. But they want to make it even more of a mess by piling on more regulation.

This amendment at least tries to remove some of the pressure from money to go elsewhere other than from the contributor to the candidate by allowing an adjustment for inflation for the limits. And then even some of our Republican speakers stand up here and mouth the idea that it is outrageous for us to triple the limits.

Well, what about inflation? Why is it outrageous to maintain the purchasing power of the limit? After all, if it was reasonable in 1976, then at least that level ought to be maintained today, and that requires this adjustment.

I mean, if we could just get people to think about this issue and quit mouthing these mantras about the evils of money and politics. Money is going to be in politics as long as we have a properly elected government. So instead of trying to pretend it does not exist or to command a control of regulations, why do we not let the voters decide? Why do we not let them contribute to the candidate and simply disclose it?

The amendment that I am offering is a reasonable amendment. If it is going to be revisited by the supposed stewards of pure campaign finance reform, one has got to question their sincerity. And I do question their sincerity.

I guess I would just observe the Washington Times refers to this as campaign finance charade. Earlier I quoted from the Nevada candidate. The Nevada candidate was a lady named Sue Del Papa, and this is what she said as she was withdrawing from running for the Democrat nomination for Senate in Nevada. She quoted from the Wall Street Journal. They called the political process a game that ''rewards those who will spend hours and hours each day raising money rather than seeking solutions.'' That is what the Republicans talk about raising money.

Please vote for this amendment.

Mr. STENHOLM. Mr. Chairman, I rise in opposition to the Doolittle amendment and in support of the Shays-Meehan campaign finance reform bill. The Doolittle amendment would undermine the important reforms in Shays-Meehan which would bring greater accountability to campaign spending.

Shays-Meehan would let public know who is running ads and allow them to decide for themselves whether or not the ad is credible. Brining all campaign activity out in to the open through increased disclosure is beneficial to the election process and does not harm any organizations. The public should know who is beyond any advertising in order to evaluate the credibility and reliability of the opinions being presented, especially when they are presented as ''facts,'' not opinions. What is wrong with disclosure and openness? Why does requiring disclosure prevent people from running ads?

The Shays-Meehan bill does not prevent any organization from saying whatever it wants about any candidate for office in a TV ad, voter guide or anywhere else at any time. It simply states that campaign activities of political parties and independent organizations should be subject to the same rules that apply to candidates for office.

The Doolittle amendment is disguised as a ''voter guide exemption,'' but in reality, it would undermine the reforms in the bill. Under the Doolittle amendment, individuals and groups could run unlimited print or Internet ads with no regard to election law simply by including information on a candidate's voting record. This is a gigantic loophole.

The Shays-Meehan bill already contains a true voter guide exemption. Legitimate voter guides that state a candidate's position on an issue and how that compares to the groups position in a neutral manner are explicitly exempted. The only way that a voter guide would be covered is if it is designed to clearly benefit one candidate over another. We have all seen these ''voter guides'' which pick and choose votes and characterize positions in a way that is clearly intended to express opposition to or support for a candidate.

As a Member with a strong pro-life record throughout my career, I strongly disagree with the argument made by some folks that Shays-Meehan would hurt the pro-life cause. I cannot understand who pro-life groups are not willing to be completely open and up front about where they raise their money and how they spend their money to promote the pro-life position in political campaigns. That is all Shays-Meehan would require these organizations to do.

I urge you to vote ''no'' on the Doolittle amendment and for the Shays-Meehan bill.

The CHAIRMAN. All time has expired.

The question is on the amendment, as modified, offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DOOLITTLE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. DOOLITTLE) will be postponed.

It is now in order to consider Amendment No. 3 printed in House Report 106–311.

AMENDMENT NO. 3 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 Offered by Mr. DOOLITTLE:

Page 16, strike line 5 and all that follows through page 17, line 17 and insert the following:

''(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which is in printed form or posted on the Internet and which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party.''.

MODIFICATION TO AMENDMENT NO. 3 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, we have the same situation with the line

and page numbers not matching up, and I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 3 Offered by Mr. Doolittle:

The amendment is modified as follows:

Page 16, strike line 9 and all that follows through page 17, line 22 and insert the following:

''(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which is in printed form or posted on the Internet and which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communications contains explicit words expressly urging a vote for or against any identified candidate or political party.''.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Florida (Mr. DAVIS) each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment to make certain that the voter guides can be published without fear of hedging or the chilling of any speech, which I believe will occur if we enact the law as it is proposed in the Shays-Meehan bill. The Shays-Meehan bill takes a situation where it is a bright-line test; it is very clear what is and is not permitted, and blurs it.

They say that is not their intent to prevent the voter guides. I believe that we should enact my amendment so that there is no doubt about what can happen. Otherwise, the person making the speech is not really going to know and is subject to sanction by the Federal Election Commission bureaucrats if he unknowingly steps over the line.

Let me just quote from the Buckley decision. I think this goes right to the heart of it. This is back in 1976 in the Buckley versus Valeo decision, which has been repeatedly upheld by the courts in subsequent decisions.

''So long as persons and groups eschew expenditures that in express terms advocate the election or defeat of a clearly identified candidate, they are free to spend as much as they want to promote the candidate and his views.''

I would like to ensure that that freedom continues unfettered.

Now, the authors of Shays-Meehan will tell us that, more or less, it is okay to do but they just have got to be viewed as a totality and there are some qualifications and so forth that they make the test subjective, whereas now it is clear.

And, as anybody knows, do they really want to get out there and engage in speech and maybe be compelled to hire an attorney, go through 3 years of discovery and litigation and spend a $100,000 or more on attorney's fees because some bureaucrat in Washington might argue that, in the totality, arguably they violated the regulation?

I just want a clear test. Let me offer this from Buckley versus Valeo: ''Whether words intended and designed to fall short of invitation would miss the mark is a question both of intent and effect. No speaker in such circumstances safely could assume that anything he might say upon the general subject would not be understood by some as an invitation. In short, the supposedly clear-cut distinction between discussion, laudation, general advocacy, and solicitation puts the speaker in these circumstances wholly at the mercy of the varied understanding of his harriers and consequently of whatever inference may be drawn as to his intent and meaning. Such a distinction offers no security for free discussion. In these conditions, it blankets with uncertainty whatever may be said. It compels the speaker to ''hedge and trim'' and, therefore, chills speech and, therefore, is unconstitutional.

Therefore, I ask for the adoption of this amendment.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP), a leading expert in bipartisan opposition to this amendment.

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, Yogi Berra once said, ''It is deja vu all over again.'' And that is where I feel like we are today. We have been down this road.

Under the leadership of a former Member, Ms. Smith of Washington, this legislation pending before the floor is very clear in exempting voter guides from any of these provisions.

But the big concern here is about these political ads in the last 60 days of the campaign. The warning that I would raise is candidates are losing and will lose control of the messages in their own campaigns if the outside groups that run these ads in the final 60 days do not declare who they are and if they do not come under the same rules as candidates.

Candidates, all of their money, income and expenses, are regulated. These groups should be regulated in the exact same way, no restriction on speech any different than a candidate.

I would be the last one to support any restrictions in the ability to speak in the final 60 days of the campaign, but the candidates must prevail.

Mr. DOOLITTLE. May I inquire, Mr. Chairman, how much time does each side have remaining.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 2 minutes remaining. The gentleman from Florida (Mr. DAVIS) has 4 minutes remaining.

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, in our legislation we do nothing to impact voter guides at all. But because there was a concern that we might, we put in language that makes it a certainty that voter guides are allowed. They do not come under the campaign law at all. All these printed documents do not come under it. They are allowed.

What the gentleman from California (Mr. DOOLITTLE) is doing is using this as an opportunity to then eliminate the provision on sham issue ads. And we cannot do that. Sham issue ads are the vehicle in which corporations and labor unions bring big money into the ads. We call them ''campaign ads,'' as they are, and they can still make their voice heard through their campaign ads.

Mr. DAVIS of Florida. Mr. Chairman, may I inquire who has the right to close.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) has the right to close, being a member of the committee.

Mr. DOOLITTLE. Mr. Chairman, I just love the circuitous reasoning here.

The gentleman from Connecticut (Mr. SHAYS) just said they have no impact whatsoever on these voter guides, and then he went on to talk about sham issue ads and how those are bad and, of course, we have got to ban sham issue ads. Well, the point is are they sham issue ads or is this the constitutional right of people to speak?

Under Buckley versus Valeo and all the cases that have followed, this is people having their constitutional right to speak. They are not subject to regulation by the FEC. And yet this bill makes them subject to regulation arguably by causing them to hedge and trim and fashion their language in such a way that the federal czar cannot intervene and sanction them for things that they said.

All I am saying is let us have a bright-line test so that nobody is in doubt as to what the standard is. If they say vote for or vote against or if in some way they convey that clearly to vote for or vote against, that is prohibited and subject to regulation under the present law.

☐ 1630

We do not want the situation, though, where the author of the voter guide is subjectively determined, after the fact, to have crossed that line. We just think, why put people who are American citizens exercising their constitutional rights, why put them in jeopardy? For that reason, I object to the present language.

Mr. Chairman, I am going to close simply by saying, if, as is represented, there is no intent to affect voter guides, what is the matter with this amendment? It just makes clear that people can continue to do the voter guides and not be subject to the Federal bureaucratic czar, to his whim, to

make it clear, as is present law, that they can continue to speak during these campaigns.

I ask for an ''aye'' vote.

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Chairman, Shays-Meehan is clear about voter guides. What the Doolittle amendment does is to essentially gut Shays-Meehan in terms of sham issue ads.

The gentleman from California says he wants a bright line so only certain words would be covered. In first amendment instances, there are no bright lines in terms of free speech, that you can only use such words or you cannot. In terms of censorship, the Supreme Court standard does not have a bright line, allowing only this word or that word. What the gentleman from California would do would be to gut the heart of this bill. Vote ''no.''

Mr. DAVIS of Florida. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. CAMPBELL).

The CHAIRMAN. The gentleman from California (Mr. CAMPBELL) is recognized for 3 minutes.

Mr. CAMPBELL. I thank my good friend for yielding me this time.

Mr. Chairman, my good friend from California's amendment recognizes that an ad that says ''vote against Congressman Smith'' is subject to regulation. Suppose the following ad is run by Congressman Smith's Republican opponent in coordination with the Republican National Committee. It says, ''Congressman Smith is a real bad Congressman because he voted against prayer in school.'' Now, that is not using an explicit word expressly urging a vote against Congressman Smith. It just says, ''Congressman Smith is a real bad Congressman because he voted against prayer in school.''

I yield to the gentleman to tell me whether that would be permitted under his amendment.

Mr. DOOLITTLE. Your remedy is not to bridge the freedom of speech but is to raise the limits on hard dollars so we do not have all this pressure for soft money issue ads.

Mr. CAMPBELL. Mr. Chairman, could we have a clearer admission of the loophole nature of the Doolittle amendment? I yielded to the gentleman to explain how he would handle this hypothetical and he does not handle this hypothetical.

In other words, I can run ads, coordinated with my Republican Party, against a Democrat, a Democrat can run ads, coordinated with his or her Democratic Party, against a Republican that say, my opponent is a horrible person, my opponent is a terrible Congressman, Congresswoman, look at his or her record, it is awful, but so long as you do not say ''vote against,'' it is okay.

I could not imagine a more clear example of a loophole, and that is the intention of the amendment by my colleague from northern California.

As to the question of the Constitution, the test is essentiality. It is not whether an actual word ''vote for'' or ''vote against'' is used which is what is in the Doolittle amendment. It is what is the heart and soul of what you are doing. If you are actually, in effect, urging that one should vote for or against a candidate, well, then that should be subject to the same regulations as are applicable, under existing law, to hard dollar expenditures. Indeed, 10 years after Buckley versus Valeo, the Supreme Court said, in the FEC versus Massachusetts case, the test was essentiality and not just the words. This was 10 years after Buckley versus Valeo.

I conclude by observing that restrictions on speech are permissible so that others may speak. You can prohibit a bullhorn if it drowns out everybody else. There are constitutional decisions allowing limits on fighting words, slander, commercial speech, obscenity, antitrust communicating price information, group libel, speech causing a clear and present danger of violence, or shouting so loud that you do not allow anybody else to be heard. That is what we are trying to do by saying that there should be reasonable limits on funding of ads, as there are in Shays-Meehan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DOOLITTLE), as modified.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DOOLITTLE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. DOOLITTLE), as modified, will be postponed.

It is now in order to consider amendment No. 4 printed in House Report 106–311.

AMENDMENT NO. 4 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Admendment No. 4 offered by Mr. Bereuter:

Page 54, insert after line 22 the following:

(c) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of such Act (2 U.S.C. 441e(b)(2)) is amended by striking the period at the end and inserting the following: '', or in the case of an election for Federal office, an individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

MODIFICATION TO AMENDMENT NO. 4 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent that a substitute amendment be made in order to deal with the pagination and line problem created by a change in pagination by the Committee on Rules.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 4, as modified, offered by Mr. BEREUTER:

The amendment is modified as follows:

Page 55, insert after line 6 the following:

(e) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of such Act (2 U.S.C. 441e(b)(2)) is amended by striking the period at the end and inserting the following: '', or in the case of an election for Federal office, an individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

The CHAIRMAN. Is there objection to the modification?

Mr. HOYER. Mr. Chairman, reserving the right to object, I just want to ask the gentleman from Nebraska, as I understand, this is simply a technical change and not a substantive change; am I correct?

Mr. BEREUTER. If the gentleman will yield, that is correct. Simply page and line number changes.

Mr. HOYER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the modification is accepted.

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Nebraska (Mr. BEREUTER) and the gentlewoman from Maryland (Mrs. MORELLA) each will control 5 minutes.

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

Mr. BEREUTER. Mr. Chairman, I yield myself 2 minutes.

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

Mr. BEREUTER. Mr. Chairman, the foreign contributions prohibition amendment that this Member is offering along with the distinguished gentleman from Mississippi (Mr. WICKER) will prohibit foreign individual campaign contributions. It will, in other words, permit them for U.S. citizens and U.S. nationals. This legislation essentially was passed by the House on two occasions in the previous Congress, once as a separate bill, H.R. 34, and again, in precisely the same form as offered today, as an amendment to the Shays-Meehan bill in the last Congress by a recorded vote.

This Member reintroduced this legislation because the situation remains the same. Many Americans believe that it is already illegal for foreigners to make Federal campaign contributions. What happened allegedly in the last presidential campaign related to contributions from supposedly resident foreign aliens raised this subject. The problem for Americans who believe that campaign contributions from foreign contributers is already illegal is that they are both right and wrong about our current Federal election laws. The fact of the matter is that under our current Federal election laws, an individual does not have to be

a U.S. citizen to make campaign contributions to Federal candidates. He or she does not even have to be a U.S. national. Under our current Federal election laws, a person can make a campaign contribution to candidates running for Federal office if that individual is a permanent legal resident alien and is, in fact, residing in the United States. This is not only an improper provision, in my judgment, it is not only what this Member would call a loophole in American law, it creates such huge enforcement problems that there really is no effective way to detect and stop contributions from foreigners who are not resident aliens by status or who do not in fact reside in the United States.

This Member believes that this situation is wrong, where foreigners affect our elections, he believes that most Americans would agree that it is wrong, and he believes that this is a problem begging for correction.

To this Member it is a very simple proposition. If an individual wants to be fully involved in the American political process, then he or she must become a citizen of the United States or be a U.S. national. If that person does not make the full commitment to this country by becoming a U.S. citizen or a U.S. national, then he or she should not have the right to participate in our political system by making a campaign contribution and affecting the lives of American citizens.

Mrs. MORELLA. Mr. Chairman, I yield myself 2 minutes.

Passage of this amendment that has just been offered would prevent lawful permanent residents from making campaign contributions and expenditures to Federal elections. I want to explain, Mr. Chairman, what defines a legal permanent resident. These individuals represent approximately 4 percent of the U.S. population. In fiscal year 1998, 660,000 legal immigrants came to the United States, according to the INS. The vast majority of legal immigrants came to the United States to join close family members, to fill jobs that no qualified U.S. citizen has taken after the job was advertised by the employer, and to escape persecution based on political opinion, race, religion, national origin or membership in a particular social group.

I want to point out that these individuals are integral stakeholders in our society. They invest in, and they contribute to, our communities in countless ways just as citizens do. Permanent residents, or citizens-in-waiting, pay Federal taxes on their worldwide income as well as State and local taxes. And, moreover, permanent residents are required to register for the draft, and many of them in fact are veterans. Nearly 20,000 legal residents are now serving voluntarily in our armed forces. Moreover, more than 20 percent of the Congressional Medal of Honor recipients in U.S. wars have been legal immigrants or naturalized Americans.

Many permanent residents operate businesses that contribute enormously to our economy. Others send their citizen children to our schools. These individuals are concerned, involved members of each and every community in which they live. This amendment would have a chilling effect on their political participation by severely hindering their ability to support a candidate of their choice, which is a basic freedom that is constitutionally guaranteed.

The Supreme Court has ruled that spending on campaigns is a form of speech protected by the first amendment. Let us vote against this amendment and allow these people their rights to participate in political campaigns by contributing.

Mr. BEREUTER. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Mississippi (Mr. WICKER), the cosponsor of the amendment.

Mr. WICKER. I thank the gentleman from Nebraska for yielding me this time.

Mr. Chairman, we have heard a little discussion earlier today about so-called ''poison pill'' amendments. Certainly this is not one of those poison pill amendments. The House of Representatives has voted on this issue twice in the past year, each time approving it overwhelmingly. The first time it passed by a vote of 369–43 and the second time, during last year's campaign regulation debate, the House approved this measure by a margin of 282–126. As these votes suggest, this is a common sense reform which has bipartisan support.

If you are not a United States citizen, or a United States national, you should not be able to influence the electoral process. It is wrong and dangerous to allow a potential to exist for undue foreign influence in electing Federal officials. That is what the debate on this amendment is about, undue foreign influence in our election process.

The American people have witnessed in the last two Clinton-Gore campaigns a breathtaking willingness to solicit money from non-citizens. We have all seen the video of Vice President GORE soliciting money from Buddhist monks who had taken a vow of poverty.

□ 1645

The Bereuter-Wicker amendment would address this problem by removing any ambiguity in the law, ambiguities which today allow foreign money to be funneled through U.S. addresses.

If a foreign national is dedicated to the ideals of the American democratic system of government, then I encourage him to become a United States citizen. With the adoption of the Bereuter-Wicker amendment, not only could that person then invest their money in a candidate he believes in, but he could actually vote for the candidate he was contributing to.

We have heard much today about the importance of money in our political system. We should remove the loophole in the current law which allows for the possibility of foreign money funding our political discourse.

Mr. Chairman, I urge adoption of this common sense amendment.

Mrs. MORELLA. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL) to speak against this amendment which would deny citizens in-waiting the opportunity to participate.

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

Mr. DINGELL. Mr. Chairman, I commend the gentlewoman, and I thank her for yielding me this time. I want to express affection and respect for the authors of the amendment and just simply say some years ago I was in favor of this, but I have gotten wiser, and this amendment is wrong. If my colleagues are concerned about Americans or rather permanent residents who have come here to live and to join us, and they do not want them to have free speech, and they do not want to let them have the other rights, then say so.

I have heard a lot on the other side of the aisle about how this is about free speech and how gifts of money for campaign purposes are the exercise of free speech. Correct. These people do almost everything that every American citizen does. They serve in the Armed Forces. As the gentlewoman mentioned, 20 percent of the Congressional Medal of Honor recipients have been legal immigrants or naturalized citizens. They serve in our Army. They are permitted to participate in our elective process, and they should be permitted to give money if they are legally resident.

Mr. Chairman, they should not be permitted to do things which are improper, but I say give them the right to participate in the system in the degree that is full and proper.

Mrs. MORELLA. Mr. Chairman, I yield 30 seconds to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I rise in opposition to this amendment that is an unconscionable limitation of the freedom of persons legally admitted as permanent residents to participate in the political process. What do we fear from these people? Are they a threat to our democracy? If this provision becomes law, it will be challenged in the courts. A hundred law professors have written to all of us. It must be a case of simply not knowing that persons in this country are protected under the Constitution. Nowhere in the Constitution does it say that protections are only for citizens.

This amendment is absolutely a violation of the Constitution.

Mr. Chairman, I rise in opposition to the Bereuter-Wicker amendment to H.R. 417.

Rules Committee Chair argued the need to open up the electoral process and to restore

confidence in our democracy. This amendment shuts out from participating in our democracy over 10 million persons who have been legally allowed to enter our country as permanent residents, 20,000 of whom are currently in the military. How is their money tainted? How will the hardearned money of millions of taxpaying legal resident taint the electoral process?

One hundred law professors have written to the Congress to advise that this prohibition against contributions by legal residents is an unconstitutional violation of the rights of free speech as defined by the Supreme Court.

This unconscionable amendment places on the candidate the burden of ascertaining the citizenship status of the person from whom you are soliciting a contribution, and selling a campaign fundraiser ticket. Picture a $10 Chilirice event. Whose money can you accept? Who will you ask whether they are citizens? Will you ask a Mrs. Smith who sent in a check? No? Why not? Because you assume that Mrs. Smith is white and a citizen. If this same Mrs. Smith handed you a check at a fundraiser, and is a Chinese woman married to a Smith, will you ask her? The rule of the law would require you to ask. If the contributor turns out to be a legal resident, you could be fined up to $5000 or go to jail for a year.

This is an unconscionable limitation of the freedom of persons legally admitted as permanent residents to participate in the political process. What do we fear from these persons? Are they a threat to our democracy?

If this provision becomes law it will be challenged in the Courts and it will be expunged as a violation of the Bill of Rights. Our Constitution guarantees all persons legally living in the United States all of the civil rights as inalienable in a free and open democracy.

I am devastated that the leaders of this debate did not see fit to designate this amendment as a ''poison pill''. For me it is a Poison Pill. If this amendment passes, I will vote against the bill as a whole.

Mrs. MORELLA. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in opposition to this amendment. I am concerned by the characterizations of foreigner that supporters of this amendment have used, and I would stress legal permanent residents are in this country legally. They have followed all the proper procedures and have played by the rules. For LPRs, campaign contributions are the only form of political participation available to them.

Proponents of this amendment call on immigrants to make the commitment to the United States by becoming citizens. In fact, a significant number of LPRs eager to take their places as citizens are frustrated in their effort by long backlogs at the INS. Their desire to get involved in the political process as they await their citizenship should be welcomed.

Mrs. MORELLA. Mr. Chairman, I yield 15 seconds to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Mr. Chairman, basically there have been unfair characterizations about undue foreign influence. This is not about undue foreign influence. This is about the violation of constitutional rights for permanent residents in order for them to participate more fully in the American process when many of their families are already citizens.

Mr. Chairman, I am in full support of H.R. 417, the Shays-Meehan Bipartisan Campaign Finance Reform Act, which is a true campaign finance reform bill. This legislation bans soft money and bars foreign nationals from contributing funds towards U.S. campaigns.

I would like to express my strong opposition to the Bereuter/Wicker amendment, which prohibits legal permanent residents from making financial contributions toward our political campaigns.

First, and most importantly, this particular amendment is an attack on the First Amendment right of legal permanent residents. These residents, also known as ''citizens in training,'' are entitled to many of the same rights as American-born or naturalized American citizens. After all, unlike foreign nationals, legal permanent residents pay taxes and are drafted into the military. These permanent residents are stakeholders in our society; they invest in our community. Their children are and will become citizens of the United States.

By voting for this amendment, we are taking an unfair and unconstitutional step towards campaign finance reform. In Buckley versus Valeo the Supreme Court ruled that campaign contributions are a form of speech protected under the First Amendment and subject to the highest levels of judicial scrutiny. This ruling held that campaign contributions are a form of protected speech. The Constitution applies not only to U.S. citizens, but to all legal permanent residents of the United States. Ruling affirmed the same right for legal permanent residents. The Supreme Court has held that legal residents have the same rights accorded to citizens under Yick Ho versus Hopkins in 1886. In 1945, the Court reaffirmed its position in Briggs versus Wixon by stating that ''[f]reedom of speech and press is accorded to aliens residing in this country.'' Hence barring donations from legal immigrants would be in violation of their constitutional rights. The Supreme Court has never approved a total ban on political expenditures or contributions from legal permanent residents.

By banning the legal permanent residents from making campaign contributions, we are also preventing these residents from participating in the political process. Legal permanent residents should be able to voice their support for candidates whom they believe will make the United States a better place for them and their children, who are generally U.S. citizens.

Furthermore, this amendment will not only affect the rights of these residents, they will also affect the rights of other U.S. citizens. Ethnicity will once again become an issue. Those American citizens with ethnic minority backgrounds will be compelled to show proof of citizenship when offering campaign contributions. This kind of action is discriminatory and will make people of color more reluctant about participating in our political process. Passage of this amendment is in itself an insult to the Asian Pacific American community, as well as other minorities who are legal permanent residents. The Bereuter/Wicker not only shuts out legal permanent residents out of the political process but threatens to silence the voice of minority citizens all over the United States.

There are numerous reasons why legal permanent residents immigrated to the United States. Many come to the United States to join close family members; others immigrate to fill jobs that no qualified American citizen has filled after the job was advertised. Presently, we have about two million legal immigrants who are trying to become U.S. citizens. Unfortunately, as a result of the two-year backlog at the Immigration and Naturalization Service, this effort will take some time. Legal permanent residents should not be punished for this fact.

The Bereuter/Wicker amendment would subvert our political system by trying to prohibit legal permanent residents from contributing to the campaigns of candidates, many of whom promise to better the educational standards of our children and to better our lives altogether.

Banning the legal immigrants' contribution will do nothing in helping to stifle foreign governments from funneling money into political campaigns. Foreign governments or other disqualified donors need only use a citizen as a conduit, an action already prohibited under current law. Therefore the banning of legal immigrants' campaign contributions to stop foreign governments' influence in our political process does not make sense. Instead, it insinuates, in a discriminatory matter, that legal permanent residents are more likely to make illegal contributions than U.S. citizens. We have no proof of that assumption.

Last, but not least, I would like to urge my colleagues not to be diverted by the amendments to H.R. 417 that have emerged. Many of these amendments will only work against all the reforms we wish to make. We need to focus, instead, on the important issue at hand, which is to make sure that all persons contributing to political campaigns be legal residents. We need to limit the amount of soft money that people contribute under ''independent expenditure.'' Let us do the right thing by voting for the Shays-Meehan Bipartisan Campaign Finance Reform. By voting for H.R. 417, let us make sure that all legal permanent residents and American citizens be allowed to contribute within the law and participate fully in our political process.

Mrs. MORELLA. Mr. Chairman, I yield 15 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

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

Ms. SCHAKOWSKY. Mr. Chairman, if legal permanent residents are good enough to pay taxes, to work in our country and to serve in our military service, then we are certainly also made better by their voice, and I would urge defeat of this amendment.

I rise to urge my colleagues to oppose the Bereuter/Wicker amendment. Cutting legal permanent residents access to the political process is absolutely the wrong thing to do

Legal permanent residents are immigrants who have made the commitment to become citizens of the United States and are in the middle of the process towards full citizenship. They have made the commitment, not only to come to this country and make a better life for

themselves and their family but, through the goods and services, jobs and taxes that their labors produce, they have made the commitment to make this country better for all of us. And they have given more than that. Legal permanent residents are eligible for the draft, have served in the U.S. military and served with great distinction in defense of the rights that every American holds dear. Like immigrants for generations, they came to this country and participated and this country is much better for it.

The Bereuter/Wicker amendment, however, would limit their participation. The Bereuter/Wicker amendment says that legal permanent residents—people who we ask to put their life on the line—aren't good enough to support the people who would put them on that line. That's wrong. If we are made better by their work, their taxes and their military service, then we are also made better by their voice.

I urge my colleagues to oppose this amendment and allow legal permanent residents to enjoy much needed reform of campaign finance reform just like we enjoy all that they bring to our country.

Mrs. MORELLA. Mr. Chairman, I yield myself the balance of my time.

In my remaining 15 seconds I just want to urge this body to recognize that these are lawful, permanent residents who are part of our communities. They are our neighbors; they are part of our work force. They engage in producing jobs for others, and I hope that we will vote against this amendment.

Legal residents should have the same rights to make political contributions and expenditures as do American citizens. To bar legal immigrants from showing support for the candidates of their choice would be like requiring them to sit out during a demonstration, or denying them the right to hold a rally in a park, or banning them from running a political ad in a newspaper. This is hardly the message about our first amendment freedoms we should send to all ''citizens in training.'' Legal immigrants, like U.S. citizens, want to support candidates who they believe make America a better place to live. Though legal immigrants cannot vote in the United States, they have a substantial stake in our country, and should be allowed their full first amendment rights to express their views.

A vote for this amendment is nothing more than an attack on the first amendment rights of legal immigrants—I urge my colleagues to vote ''no'' on the Bereuter-Wicker amendment.

Mr. BEREUTER. Mr. Chairman, I yield myself the remainder of the time.

The CHAIRMAN. The gentleman from Nebraska is recognized for the remaining 1 minute.

Mr. BEREUTER. First of all, there is nothing negative about the word ''foreigner'' as used here, and I would remind the gentleman from New Jersey that I have used the term ''permanent resident alien'' frequently in my comments.

I would also say the constitutionality of this matter has not been ruled on by the courts; and I think there is at least that many law professors that would say that this kind of statutory limitation which we would act upon here would be perfectly constitutional. This amendment goes to our basic sovereignty, the ability to rule ourselves, to protect our basic rights.

And I will also ask do my colleagues remember on the campaign contribution cards that colleagues and I and others have to fill out in our campaigns, it asks occupation? This amendment does not discriminate against the minorities as alleged in a Dear Colleague letter. All we have to do is have two blanks on a contribution card which asks the following: Are you a U.S. citizen? Are you a U.S. national? Then the burden of enforcement falls upon the complaint process against the campaign under the FEC.

This amendment constitutes a perfectly reasonable approach. I urge my colleagues to reserve the right to affect our elections to U.S. citizens and U.S. nationals.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the Bereuter-Wicker amendment which prevents legal permanent residents from making campaign contributions.

At first glance, this amendment seems innocuous. Why would we want anyone other than U.S. citizens to participate in our political process?

Legal permanent residents can't vote; why should they be able to contribute to elections?

Hasn't it been proven through prosecutions during the last several years that foreign nationals can't be trusted to participate in the election process?

First, legal permanent residents are tax-paying residents of the United States. They are also subject to the draft; in fact, more than 20,000 legal permanent residents are serving honorably at the present time in the U.S. Armed Forces. Many legal permanent residents have filed for U.S. citizenship and are merely waiting for a lengthy naturalization process to be completed.

Second, legal permanent residents are already part of our political process. We count them in the census. They determine congressional representation, and, in representing a state or a congressional district, a Member of Congress is entrusted with representing them as well as U.S. citizens residing there.

Finally, the prosecutions of a few foreign nationals during the last few years prove nothing. In fact, they emphasize that we make an enormous mistake if we leap to such judgments about entire ethnic groups based on the illegal and reprehensible deeds of a few.

But discrimination is an important issue. How would the proponents of this amendment enforce such a stipulation? We have to assume that each and every campaign contributor would need to be queried about the status of their U.S. citizenship.

And who is most likely to be queried at a fund-raising event? Obviously, those with ethnic looks or those who speak broken English or have an ethnic accent.

Ultimately, this amendment could inhibit the participation of ethnic Americans. What candidate or campaign worker would risk accepting or soliciting a contribution from a person who looks foreign, speaks with an accent, or has an ethnic name?

The Supreme Court has ruled that spending on campaigns is a form of speech and is protected by the first amendment. The first amendment applies to everyone living in the United States, not just U.S. citizens.

It is therefore ironic that those who want to defeat the Shays-Meehan bill today and oppose efforts to reform campaign finance laws based on the argument that restrictions inhibit the exercise of free speech, are the first ones to lineup in favor of this amendment that will take away one form of free speech from legal permanent residents.

I urge my colleagues to oppose this attempt to undermine the first amendment.

I urge my colleagues to fight against the type of ethnic discrimination that would surely arise from adoption of such a provision.

I urge my colleagues to support the full participation of legal permanent residents in our political system, as we demonstrate what U.S. democracy truly means.

Mr. WU. Mr. Chairman, I rise today in strong opposition to the amendment offered by Mr. BEREUTER and Mr. WICKER.

The gentleman from Nebraska seeks to silence voices in America trying to speak out on their own behalf, and on behalf of those who can not speak for themselves.

The amendment would slam the door to political participation and free speech right in the face of millions of legal residents.

Let us be perfectly clear: Legal permanent residents are invited by the U.S. Government to live permanently within our borders. They pay taxes, they are subject to the draft, and they serve in the military.

There are over 10 million permanent legal residents in the United States. Many have come to this country fleeing persecution in their homeland.

Others have come to this country for the same reasons my own family did almost forty years ago, seeking opportunity in a new land, and hoping to be reunited with their families.

Banning contributions by legal permanent residents would have a chilling effect. It would send a message to many communities—particularly those rich with first generation Americans—that we do not value ''citizens in training.''

We here in this democratic body should work to bring more people into our political system and encourage their full participation, not discourage civic engagement.

I am also concerned that enforcing such a ban would cause other unintended problems. Imagine candidates and campaign workers trying to enforce such a ban by discouraging participation from people who look ''foreign'' or have ''foreign'' sounding names.

Banning contributions from legal permanent residents does nothing to address the real problem with our campaign finance system: the limitless flow of special interest money into political campaigns.

Denying the right of legal permanent residents to participate in campaigns in equivalent to selectively reducing their free speech rights.

Shays-Meehan already prohibits contributions from foreign nationals. Going beyond the language in Shays-Meehan only punishes tax paying, law abiding people in our communities and prohibits them from participating in the political process.

I urge my colleagues to vote ''no'' on the Bereuter-Wicker amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER) will be postponed.

It is now in order to consider Amendment No. 5 printed in House Report 106–311.

AMENDMENT NO. 5 OFFERED BY MR. FALEOMAVAEGA

Mr. FALEOMAVAEGA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. FALEOMAVAEGA:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 517. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(d)(2)), as amended by sections 506(b) and 511(a), is further amended by inserting after ''United States'' the following: ''or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my amendment No. 5 to the Shays-Meehan campaign finance reform bill, H.R. 417. I want to thank the gentleman from California (Mr. DREIER), chairman of the Committee on Rules, and the gentleman from Massachusetts (Mr. MOAKLEY), the ranking Democrat from the Committee on Rules, for making my amendment in order and for the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for their support of this amendment, which will ensure that the right of U.S. nationals to make contributions in federal elections is fully protected.

Mr. Chairman, I represent the territory of American Samoa, the only U.S. soil in the Southern Hemisphere. Persons born in American Samoa of U.S. parents are given the status of U.S. nationals. These individuals are nationals of the United States but are not U.S. citizens. They hold permanent allegiance to the United States, serving the U.S. military, carry U.S. passports, and have the same access to the United States as do U.S. citizens; but they are not foreign nationals or aliens.

Approximately 80 percent of the residents of American Samoa are U.S. nationals. The status can be acquired only by birth in American Samoa or by birth in a foreign country from parents, one or both of whom are U.S. nationals.

Mr. Chairman, federal campaign law currently specifies that U.S. citizens are permanent resident foreign nationals, may make contributions to candidates for federal office. This section of law was enacted into law before American Samoa had a congressional delegate in the U.S. House of Representatives. My concern is that if Congress changes this section of the law now while we know of the U.S. national problem, our action could be interpreted to mean that Congress intended to prohibit U.S. nationals from contributing to federal elections.

Mr. Chairman, this would cause a major problem in my district because, as I mentioned earlier, the vast majority of the residents of my congressional district will be prohibited from contributing to candidates running for federal office, particularly the office of delegate to the U.S. House of Representatives. Moreover, the U.S. nationals residing in the States and other territories in the United States, estimated to be approximately 200,000 patriotic Americans, would also be prohibited from contributing.

Few U.S. nationals are aware of this problem and this distinction made in federal campaign laws that many contribute to candidates of the U.S. House, the U.S. Senate, and also those who run for the U.S. presidency; and this interpretation of the law could find these candidates in violation of campaign laws for having received contributions from persons not authorized under the law.

Mr. Chairman, I believe this is a technical correction to the law; and I know of no opposition, at least hopefully, and I do urge my colleagues to support this amendment.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. FALEOMAVAEGA. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I think the gentleman has initially found this to be an appropriate problem to solve. He has the solution. I think this should be unanimously supported, and I appreciate his representation of U.S. nationals.

Mr. FALEOMAVAEGA. Mr. Chairman, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

Mr. HOYER. Mr. Chairman, absent anyone claiming time in opposition, I ask unanimous consent to claim the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I thank my colleague from American Samoa for yielding me the time. It is rather obvious that where current restrictions remain in place that his own constituents, the gentleman from American Samoa (Mr. FALEOMAVAEGA'S) own constituents, could not contribute to his own campaign. This great anomaly is something that we share because those of us from Guam were American nationals, U.S. nationals, before 1950, and at that time the people of Guam became U.S. citizens.

As a U.S. territory, American Samoa and its people deserve the same constitutional rights and privileges afforded to U.S. citizens, and although it may seem like this is an inherent right of U.S. nationals which remains unchallenged, sometimes those of us who represent territories know some things always fall through the cracks. Of these in American Samoa there are some 60,000 residents. Of these residents 80 percent are U.S. nationals. Moreover, there may be an additional 150 to 200,000 U.S. nationals living in the U.S. mainland and throughout the world.

Mr. Chairman, I cannot stress enough the significance of adding U.S. nationals to this bill, and I hope there is really no opposition.

Mr. HOYER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the gentleman from Nebraska (Mr. BEREUTER), the sponsor of the last amendment, indicated on this amendment, I think we all agree that the gentleman from American Samoa (Mr. FALEOMAVAEGA) has offered an amendment which all of us can and should support. Clearly we want to express in the strongest possible terms that the residents of American Samoa are in fact included as U.S. citizens. They are a full part of our country, and although they do not have every right of citizenship extended to them, Mr. FALEOMAVAEGA represents them extraordinarily well here on the floor of this House. And we share his view that we ought to make it very clear that his constituents can in fact contribute, exercise their speech rights by contributing to his campaign, and to such other campaigns as they choose, and I certainly know that I think on our side there is unanimous support for his amendment, and I thank him for his leadership on this very important point.

Mr. BILBRAY. Mr. Chairman, will the gentleman yield?

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

□ 1700

Mr. BILBRAY. Mr. Chairman, I would just like to point out as somebody who was almost born in Guam by a matter of days, I hear, frankly I want to strongly support the amendment.

Let me point out, I appreciate my colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA), articulating the position of birthright citizenship for United States citizens that parents who were obligated to loyalty and allegiance earn the right of automatic status as American nationals for people born in American Samoa

or in other areas. This is something that I think we need to articulate and need to point out, that his constituents in American Samoa have permanent allegiant responsibilities to the United States not temporary, like resident aliens.

Resident aliens still have obligations of loyalty and allegiance. They can be tried for treason, but the residents of American Samoa that fall under this category have permanent allegiance and can be tried for treason, can be drafted, and have obligations and with those obligations I think we all agree comes the rights and the rights that are articulated, at least from our point of view, and I think in this Congress, is the right to be able to contribute to their representatives.

Mr. FALEOMAVAEGA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly want to thank my good friend, the gentleman from Maryland (Mr. HOYER) and the gentleman from California (Mr. BILBRAY) for their support and their comments concerning my proposed amendment.

It might be of note to my colleagues that under the current law, the current immigration law of the United States, if I could be more specific, a United States national is defined as someone who owes permanent allegiance to the United States but who is neither a citizen nor an alien. That is exactly the status of U.S. nationals as it currently stands, and I do appreciate my good friend from Nebraska (Mr. BEREUTER) and all of the Members for their bipartisan support of this proposed amendment.

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

Mr. HOYER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 106–311.

AMENDMENT NO. 6 OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer amendment No. 6.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. Goodling.

Strike section 501 and insert the following (and conform the table of contents accordingly):

SEC. 501. WORKER PAYCHECK FAIRNESS.

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

(1) Workers who pay dues or fees to a labor organization may not, as a matter of law, be required to pay to that organization any dues or fees supporting activities that are not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(2) Many labor organizations use portions of the dues or fees they collect from the workers they represent for activities that are not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues. These dues may be used to support political, social, or charitable causes or many other noncollective bargaining activities. Unfortunately, many workers who pay such dues or fees have insufficient information both about their rights regarding the payment of dues or fees to a labor organization and about how labor organizations spend employee dues or fees.

(3) It is a fundamental tenet of this Nation that all men and women have a right to make individual and informed choices about the political, social, or charitable causes they support, and the law should protect that right to the greatest extent possible.

(b) PURPOSE.—The purpose of this section is to ensure that all workers have sufficient information about their rights regarding the payment of dues or fees to labor organizations and the uses of employee dues and fees by labor organizations and that the right of all workers to make individual and informed choices about the political, social, or charitable causes they support is protected to the greatest extent possible.

(c) WRITTEN CONSENT.—

(1) IN GENERAL.—

(A) AUTHORIZATION.—A labor organization accepting payment of any dues or fees from an employee as a condition of employment pursuant to an agreement authorized by Federal law must secure from each employee prior, voluntary, written authorization for any portion of such dues or fees which will be used for activities not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(B) REQUIREMENTS.—Such written authorization shall clearly state that an employee may not be required to provide such authorization and that if such authorization is provided, the employee agrees to allow any dues or fees paid to the labor organization to be used for activities which are not necessary to performing the duties of exclusive representation and which may be political, social, or charitable in nature.

(2) REVOCATION.—An authorization described in paragraph (1) shall remain in effect until revoked. Such revocation shall be effective upon 30 days written notice.

(3) CIVIL ACTION BY EMPLOYEES.—

(A) LIABILITY.—Any labor organization which violates this subsection or subsection (f) shall be liable to the affected employee—

(i) for damages equal to—

(I) the amount of the dues or fees accepted in violation of this section;

(II) the interest on the amount described in subclause (I) calculated at the prevailing rate; and

(III) an additional amount as liquidated damages equal to the sum of the amount described in subclause (I) and the interest described in subclause (II); and

(ii) for such equitable relief as may be appropriate.

(B) RIGHT OF ACTION.—An action to recover the damages or equitable relief prescribed in subparagraph (A) may be maintained against any labor organization in any Federal or State court of competent jurisdiction by any one or more employees for and in behalf of—

(i) the employees; or

(ii) the employees and other employees similarly situated.

(C) FEES AND COSTS.—The court in such action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(D) LIMITATION.—An action may be brought under this paragraph not later than 2 years after the date the employee knew or should have known that dues or fees were accepted or spent by a labor organization in violation of this section, except that such period shall be extended to 3 years in the case of a willful violation.

(d) NOTICE.—An employer whose employees are represented by a collective bargaining representative shall be required to post a notice, of such size and in such form as the Department of Labor shall prescribe, in conspicuous places in and about its plants and offices, including all places where notices to employees are customarily posted, informing employees that any labor organization accepting payment of any dues or fees from an employee as a condition of employment pursuant to an agreement authorized by Federal law must secure from each employee prior, written authorization if any portion of such dues or fees will be used for activities not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(e) DISCLOSURE TO WORKERS.—

(1) EXPENSES REPORTING.—Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end the following new sentence: ''Every labor organization shall be required to attribute and report expenses in such detail as necessary to allow members to determine whether such expenses were necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.''

(2) DISCLOSURE.—Section 201(c) of the Labor-Management Reporting and Disclosure Act of 1959 is amended—

(A) by inserting ''and employees required to pay any dues or fees to such organization'' after ''members''; and

(B) inserting ''or employee required to pay any dues or fees to such organization'' after ''member'' each place it appears.

(3) WRITTEN REQUESTS.—Section 205(b) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end the following new sentence: ''Upon written request, the Secretary shall make available complete copies of any report or other document filed pursuant to section 201.''.

(f) RETALIATION AND COERCION PROHIBITED.—It shall be unlawful for any labor organization to coerce, intimidate, threaten, interfere with, or retaliate against any employee in the exercise of, or on account of having exercised, any right granted or protected by this section.

(g) REGULATIONS.—The Secretary of Labor shall prescribe such regulations as are necessary to carry out subsection (d) not later than 60 days after the enactment of this Act and shall prescribe such regulations as are necessary to carry out the amendments made by subsection (e) not later than 120 days after the enactment of this Act.

(h) EFFECTIVE DATE AND APPLICATION.—This section shall be effective immediately upon enactment, except that subsections (c) and (d) pertaining to worker consent and notice shall take effect 90 days after enactment and subsection (e) pertaining to disclosure shall take effect 150 days after enactment.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Pennsylvania (Mr. GOODLING) and a Member opposed each will control 5 minutes.

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

Mr. GOODLING. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, one author in general debate said that we must treat all in the same manner. That is exactly why I made this amendment in order.

This bill purports to codify an important Supreme Court case dealing with workers' rights; but unfortunately the bill, in fact, takes a step backward and would hammer into law an NLRB interpretation which has created a system that is abusive to union members and would, in effect, nullify the Supreme Court's decision.

My committee held six hearings on the Beck decision, and what we heard over and over again from union workers was that they strongly support their union but they believe that the union owes them the respect of asking for their permission to spend money beyond the purposes allowed in Beck.

My amendment creates a mechanism where one can truly implement the Supreme Court's decision.

In Beck, the court held that workers cannot be required to pay for activities beyond legitimate union functions. But our hearings showed that the Beck rights remain illusory, and that is because of NLRB interpretation.

Witnesses described the problems, including not getting notice of their Beck rights, procedural hurdles, notably the requirement that one must first resign from the union before disputing any dues expenditure.

Now it is important to understand that in Beck the Supreme Court said that one does not have to pay those dues for anything other than the negotiating process.

Again, the interpretation, as has come down through the NLRB, says to these very people in 29 States, who must belong or can be required to belong to the union, must pay their union dues, that they first must resign from the union in order to challenge the use of their dues. At the same time, they must continue to pay those dues; and at the same time, the very people who took their dues and used them as they wished to use them now become the jury and the judge to determine whether they get them back or whether they do not get them back.

Now, obviously there is something wrong with that; and we are trampling on the rights of union workers in 29 States.

Section 501 in this bill says it applies only to nonmembers. That is right. Workers must resign from the union in order to be covered.

Section 501 defines the dues payments that may be objected to, and this is dangerous because what they do, they say expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.

Now, the definition infers that there could be other ways that one could take their money and use their money without their permission. So it becomes a perversion.

Well, somebody in the press said to me that would not be fair because that is not true of stockholders and corporations, and I said to that person, one has to have an IQ of minus 10 to ever try to mix those apples and oranges. Obviously as a stockholder, one has every right under the sun. They do not have to buy the stock. They can sell it whenever they want to sell it. And they can object to what is being done, and they can vote in relationship to what those who are using their money are doing in relationship to that corporation. So that is a silly, factitious argument.

It is very obvious to me, having listened to the debate, that we have an awful lot of people here who want to go back home and say: I voted for campaign reform. I do not care about the rights of union workers in 29 States. I just voted, and I want everyone to know I voted for campaign reform. It does not matter whether it is good, bad, or indifferent. I voted for it.

Well, I do not want union rights to be trampled in that manner and under that mentality. So I am going to, at the appropriate time, ask to withdraw my amendment and bring it to the floor as a stand-alone issue so that we can, as a matter of fact, protect those union workers in 29 States and make sure that they have the right to determine how their dues are used beyond what the Supreme Court said it could be used for.

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

Mr. HOYER. Mr. Chairman, I rise in opposition to the amendment, and I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER), the distinguished ranking member of the Committee of Jurisdiction.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in strong opposition to this amendment, and I am glad to hear that the gentleman from Pennsylvania (Mr. GOODLING) will withdraw the amendment after the debate.

I think that this amendment is patently unfair to union members. It does deny them one of the benefits of organization. It does deny them the ability to collectively organize and decide for the purposes they are going to engage in the electoral process within this country; and, in fact, it does not treat them the same. It treats them very differently than corporations.

It also recognizes that corporations all the time vote either by a majority or the boards of directors or the CEO and others make decisions about campaigns and political speech and issues that they are going to get involved in or they are not going to get involved in. And they do it without the consent of all of their members, all of their shareholders, all of their workers, and all of the rest of that. And yet somehow we are going to put that effectively on the backs of working men and women.

I think what this really is, this has stuck in the craw of the other side of the aisle since a very effective campaign by organized labor to tell the truth about what Republicans were doing when they first took over the House, and as a result of that this is a payback not a paycheck protection. It has been rejected in the State of California by voters. It has been rejected in the State of Oregon by voters, and it should be rejected in the House of Representatives.

Mr. HOYER. Mr. Chairman, still controlling the time in opposition to this bill, I yield 1 minute to the gentleman from Missouri (Mr. CLAY) the individual, I would say the chairman in exile. I referred to the gentleman from California (Mr. GEORGE MILLER) as the ranking member, but actually the ranking member is my chairman in exile, as I said, one of the senior Members of this House, who has done such extraordinary service to the Congress.

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

Mr. CLAY. Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Pennsylvania (Mr. GOODLING). By imposing unfair restrictions on labor unions, this amendment denies workers an effective voice in public affairs. This amendment deliberately destroys the right of workers to determine for themselves the activities of their own organizations.

The amendment makes a further mockery of democratic principles by imposing these restrictions only on groups, only one group, the unions. A similar effort in the last Congress to gag the voice of workers was soundly defeated by a vote of 166 to 246. Fifty-two Republicans voted against this provision.

Current law fully protects the rights of workers to refrain from joining the union or underwriting any union political activity. This amendment adds nothing to these protections. Instead, it punishes workers by crippling their ability to participate in politics and jeopardizing their ability to organize to litigate on their own behalf and even to make charitable contributions.

I urge Members to once again defeat this ill-conceived, anti-democratic attack on workers.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, when we drafted this bill, we wanted to be true to Beck. We did not want it to be less. We did not want it to be more. We wanted it to be just what the Court said.

What we had was a situation where Harry Beck, who was an employee of AT&T but was not a member of the Communications Workers of America, the CWA, objected to his agency fee also including political activity, and this ultimately was brought to the Supreme Court. And they said his political activity, since he was not a member of the union, should not be covered and he should only pay for true collective bargaining. That is what the Beck

decision decided, and that is what we did in our bill.

This is not paycheck protection, but we also didn't think we needed paycheck protection because we eliminate the sham issue ads and call them campaign ads so one cannot use union dues money. We eliminate soft money, which is the other way union monies get into campaigns. So we thought that was even more powerful than even paycheck protection.

I have personal experience in this legislation. My wife was a member of a union, and her money was going to support a Democrat candidate for governor and she supported the Republican candidate. And she objected. They said, well, you are a member of the union; and this is what we are doing. So she then said, well, then I resign from the union; I do not want this money to go for candidates I do not support.

She ended up only paying the agency fee for collective bargaining, and her political contributions were refunded to her.

This is true to the Beck decision, and I encourage my colleagues to recognize that.

Mr. GOODLING. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina (Mr. BALLENGER), a member of the committee.

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

Mr. BALLENGER. Mr. Chairman, no American can be forced to contribute to political causes or campaigns with which he or she disagrees except one group, members of labor unions.

Our committee had a hearing and heard from members of the U.S. Airways union in Charlotte, North Carolina. These men testified how that portion of their union dues went to fund the campaigns of candidates who were pro-abortion, a stance that they considered deeply was against their Christian beliefs.

We ought to stop it now, and we ought to vote for the Goodling amendment.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the distinguished gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING). The amendment is deceptively entitled the Worker Paycheck Fairness Act but is more appropriately named the Worker Gag Act.

The Shays-Meehan bill, of which I am a cosponsor, would ban soft money, regulate phony issue ads on television, and toughen disclosure requirements.

Above all, Shays-Meehan is fair, bipartisan, even-handed reform legislation.

In the guise of reform, the Goodling amendment undoes the balance achieved by Shays-Meehan, which seeks meaningful campaign finance reform to rid the process of the abuse of soft money and restore the people's voice in the electoral process.

I urge my colleagues to vote no on Goodling and support Shays-Meehan.

The Goodling amendment represents an unprecedented governmental intrusion into the internal operations of labor organizations, without a concomitant restriction on the communications of a corporation and its shareholders.

☐ 1715

Mr. HOYER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 1 minute remaining.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

I rise in opposition to the Goodling amendment. I would like to think my IQ is above minus 10. I think there is an analogy. Yes, I can buy the stock and yes, I can take the job, or yes, I can join the union or not join the union. If I do not need the job, I can go someplace else.

The fact of the matter is, Beck is included in this legislation, as the gentleman from Connecticut has said, exactly as the court ruled. The fact of the matter is, this legislation is an attempt to make impotent the ability of unions to effectively represent the interests of their members and those whom they represent, members or not.

I would suggest that we defeat this amendment, but I am pleased that the gentleman has decided to withdraw the amendment and that will not be necessary. I know the gentleman feels strongly about his amendment, but we feel equally strongly that this is not an amendment in the best interest of this bill or in the best interest of America's workers.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) has 30 seconds remaining.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of my time.

I want to make sure that we clarify what was just said. The gentleman said we have the right to join the union or not. In 29 States, one does not have the right. In 29 States, to keep your job one must belong to the union, one must pay the dues; but if one wants to challenge them under the Beck decision, one must resign from the union, continue to pay one's dues, and then one is judged by the very people who took their money. They are the judge and they are the jury if you get anything back, but the harassment has been terrible.

Let me tell my colleagues again, this is too important. This is too important as far as union workers in 29 States are concerned. Their rights need to be protected, and we will bring that legislation to the floor; and everybody will have an opportunity to deal with it at that particular time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in the strongest possible opposition to the Goodling amendment to H.R. 417.

This amendment is yet another attempt to cripple the ability of unions to effectively participate in the political affairs of the nation and advocate on behalf of our working families.

Mr. GOODLING's amendment, which is identical to the bill H.R. 2434, would require labor unions to obtain written authorization from all union members before using any portion of union dues for political activities. This legislation infringes on the right of workers to establish their own rules regarding union membership. In addition, the amendment imposes costly, crippling paperwork requirements and effectively imposes a punitive tax on all union members. At the same time, however, the amendment does not require corporations to go through this cumbersome and costly process in order to obtain authorization from their shareholders before using corporate funds for political activities. This is hypocrisy at its best.

Further, Mr. Chairman, this amendment is unnecessary. The U.S. Supreme Court has ruled that workers have the right to refuse to contribute to their union's political activities. This ruling is already incorporated into the text of the Shays-Meehan campaign finance reform bill.

Finally, not only is the Goodling amendment bad policy, it is also a poison pill that, if passed, would ensure that this much-needed campaign finance bill would fail.

Mr. Chairman, it is clear that this amendment is not about ''paycheck protection for workers.'' It is about the systematic disenfranchisement of American workers such as our teachers, nurses, police officers and factory workers.

I urge my colleagues to defeat this harmful, hypocritical, and unnecessary amendment.

Ms. WOOLSEY. Mr. Chairman, the Goodling amendment is a clear attempt to silence the voices of working women and men, to stop their participation in the political process.

Labor unions are voluntary democratic organizations in which the members vote on the union's political activities—as in a democracy, the majority rules.

But, what about private corporations which, by the way, outspent unions in the 1996 elections by 17 to 1?

I notice that no one is suggesting that corporations need to get written permission from their shareholders before they participate in the political process.

The Goodling amendment will give corporations an open line to the candidates while disconnecting the teachers, nurses, carpenters, truck drivers, firefighters, and other American workers who count on their labor unions to speak for them.

This amendment must be defeated.

Mr. GOODLING. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 287, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 1 offered by Mr. WHITFIELD of Kentucky; Amendment No. 2 offered by Mr. DOOLITTLE of California; Amendment No. 3 offered by Mr. DOOLITTLE of California; Amendment No. 4 offered by Mr. BEREUTER of Nebraska.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1, AS MODIFIED, OFFERED BY MR. WHITFIELD

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 1, as modified, offered by the gentleman from Kentucky (Mr. WHITFIELD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 127, noes 300, not voting 6, as follows:

[Roll No. 411]

AYES—127

Armey	Gutknecht	Pombo
Baker	Hansen	Radanovich
Ballenger	Hastings (WA)	Riley
Barr	Hayes	Rogan
Barton	Hayworth	Rohrabacher
Bateman	Herger	Royce
Bereuter	Hill (IN)	Ryan (WI)
Biggert	Hill (MT)	Ryun (KS)
Bliley	Hobson	Salmon
Blunt	Hoekstra	Sanford
Boehner	Hostettler	Scarborough
Bonilla	Houghton	Schaffer
Bono	Hulshof	Sensenbrenner
Brady (TX)	Hutchinson	Sessions
Bryant	Hyde	Shadegg
Burr	Istook	Shimkus
Burton	Jenkins	Shuster
Buyer	Johnson, Sam	Simpson
Callahan	Jones (NC)	Sisisky
Calvert	Kasich	Smith (MI)
Canady	King (NY)	Smith (TX)
Cannon	Knollenberg	Stearns
Chambliss	Kolbe	Stump
Chenoweth	Largent	Sununu
Coburn	Lewis (KY)	Sweeney
Collins	Linder	Talent
Combest	McCollum	Tancredo
Cox	McCrery	Tauzin
Crane	McInnis	Taylor (NC)
Cubin	McIntosh	Terry
Davis (VA)	McKeon	Thomas
DeLay	Miller (FL)	Thornberry
DeMint	Miller, Gary	Tiahrt
Dickey	Myrick	Toomey
Doolittle	Nethercutt	Vitter
Dreier	Norwood	Weldon (FL)
Duncan	Oxley	Weldon (PA)
Dunn	Packard	Whitfield
Ehrlich	Paul	Wicker
Everett	Pease	Wilson
Fossella	Peterson (PA)	Young (AK)
Fowler	Pickering	
Gibbons	Pitts	

NOES—300

Abercrombie	Barrett (WI)	Blumenauer
Ackerman	Bartlett	Boehlert
Aderholt	Bass	Bonior
Allen	Becerra	Borski
Andrews	Bentsen	Boswell
Archer	Berkley	Boucher
Bachus	Berman	Boyd
Baird	Berry	Brady (PA)
Baldacci	Bilbray	Brown (FL)
Baldwin	Bilirakis	Brown (OH)
Barcia	Bishop	Camp
Barrett (NE)	Blagojevich	Campbell
Capps	Hoyer	Pascrell
Capuano	Hunter	Pastor
Cardin	Inslee	Payne
Carson	Isakson	Pelosi
Castle	Jackson (IL)	Peterson (MN)
Chabot	Jackson-Lee (TX)	Petri
Clay	Jefferson	Phelps
Clayton	John	Pickett
Clement	Johnson (CT)	Pomeroy
Clyburn	Johnson, E. B.	Portman
Coble	Jones (OH)	Price (NC)
Condit	Kanjorski	Quinn
Conyers	Kaptur	Rahall
Cook	Kelly	Ramstad
Cooksey	Kennedy	Rangel
Costello	Kildee	Regula
Coyne	Kilpatrick	Reyes
Cramer	Kind (WI)	Reynolds
Crowley	Kleczka	Rivers
Cummings	Klink	Rodriguez
Cunningham	Kucinich	Roemer
Danner	Kuykendall	Rogers
Davis (FL)	LaFalce	Rothman
Davis (IL)	LaHood	Roukema
Deal	Lampson	Roybal-Allard
DeFazio	Lantos	Rush
DeGette	Larson	Sabo
Delahunt	Latham	Sanchez
DeLauro	LaTourette	Sanders
Deutsch	Lazio	Sandlin
Diaz-Balart	Leach	Sawyer
Dicks	Lee	Saxton
Dingell	Levin	Schakowsky
Dixon	Lewis (CA)	Scott
Doggett	Lewis (GA)	Serrano
Dooley	Lipinski	Shays
Doyle	LoBiondo	Sherman
Edwards	Lofgren	Sherwood
Ehlers	Lowey	Shows
Emerson	Lucas (KY)	Skeen
Engel	Lucas (OK)	Skelton
English	Luther	Slaughter
Eshoo	Maloney (CT)	Smith (NJ)
Etheridge	Maloney (NY)	Smith (WA)
Evans	Manzullo	Snyder
Ewing	Markey	Souder
Farr	Martinez	Spence
Fattah	Mascara	Spratt
Filner	Matsui	Stabenow
Fletcher	McCarthy (MO)	Stark
Foley	McCarthy (NY)	Stenholm
Forbes	McDermott	Strickland
Ford	McGovern	Stupak
Frank (MA)	McHugh	Tanner
Franks (NJ)	McIntyre	Tauscher
Frelinghuysen	McKinney	Taylor (MS)
Frost	McNulty	Thompson (CA)
Gallegly	Meehan	Thompson (MS)
Ganske	Meek (FL)	Thune
Gejdenson	Meeks (NY)	Thurman
Gekas	Menendez	Tierney
Gephardt	Metcalf	Towns
Gilchrest	Mica	Traficant
Gillmor	Millender-McDonald	Turner
Gilman	Miller, George	Udall (CO)
Gonzalez	Minge	Udall (NM)
Goode	Mink	Upton
Goodlatte	Moakley	Velazquez
Goodling	Mollohan	Vento
Gordon	Moore	Visclosky
Goss	Moran (KS)	Walden
Graham	Moran (VA)	Walsh
Granger	Morella	Wamp
Green (TX)	Murtha	Waters
Green (WI)	Nadler	Watkins
Greenwood	Napolitano	Watt (NC)
Gutierrez	Neal	Watts (OK)
Hall (OH)	Ney	Waxman
Hall (TX)	Northup	Weiner
Hefley	Nussle	Weller
Hilleary	Oberstar	Wexler
Hilliard	Obey	Weygand
Hinchey	Olver	Wise
Hinojosa	Ortiz	Wolf
Hoeffel	Ose	Woolsey
Holden	Owens	Wu
Holt	Pallone	Wynn
Hooley	Porter	Young (FL)
Horn	Pryce (OH)	

NOT VOTING—6

Hastings (FL)	Ros-Lehtinen	Shaw
Kingston		

□ 1739

Messrs. GEJDENSON, ADERHOLT, LATHAM, and CUNNINGHAM changed their vote from ''aye'' to ''no.''

Messrs. DUNCAN, BLUNT, and TAYLOR of North Carolina, Mrs. MYRICK, and Mr. DICKEY changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 2, AS MODIFIED, OFFERED BY MR. DOOLITTLE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2, as modified, offered by the gentleman from California (Mr. DOOLITTLE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 302, not voting 8, as follows:

[Roll No. 412]

AYES—123

Armey	Fowler	Pease
Baker	Gekas	Peterson (PA)
Ballenger	Gibbons	Petri
Barr	Goodlatte	Pickering
Barton	Gutknecht	Pombo
Bateman	Hansen	Radanovich
Bereuter	Hastings (WA)	Riley
Biggert	Hayworth	Rogan
Bliley	Hefley	Rogers
Blunt	Herger	Rohrabacher
Boehner	Hill (IN)	Royce
Bonilla	Hill (MT)	Ryan (WI)
Bono	Hobson	Ryun (KS)
Brady (TX)	Hoekstra	Scarborough
Burton	Hostettler	Schaffer
Buyer	Hulshof	Sensenbrenner
Callahan	Hutchinson	Sessions
Calvert	Istook	Shadegg
Canady	Johnson, Sam	Shimkus
Cannon	Jones (NC)	Shuster
Chambliss	Kasich	Simpson
Chenoweth	King (NY)	Smith (MI)
Coburn	Knollenberg	Smith (TX)
Collins	Largent	Souder
Combest	Latham	Spence
Cooksey	Lewis (CA)	Stump
Cox	Lewis (KY)	Sununu
Crane	Linder	Tancredo
Cubin	McCollum	Tauzin
Davis (VA)	McCrery	Taylor (NC)
DeLay	McInnis	Terry
DeMint	McIntosh	Thomas
Dickey	McKeon	Tiahrt
Doolittle	Metcalf	Toomey
Dreier	Miller (FL)	Vitter
Dunn	Miller, Gary	Weldon (FL)
Ehlers	Nethercutt	Weldon (PA)
Ehrlich	Norwood	Whitfield
English	Oxley	Wicker
Everett	Packard	Wilson
Fossella	Paul	Young (AK)

NOES—302

Abercrombie	Aderholt	Andrews
Ackerman	Allen	Archer

Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hayes
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—8

Delahunt
Hastings (FL)
Kingston
Porter
Pryce (OH)
Ros-Lehtinen
Salmon
Shaw

□ 1747

Mr. SCOTT changed his vote from ''aye'' to ''no''.

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3, AS MODIFIED, OFFERED BY MR. DOOLITTLE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 3, as modified, offered by the gentleman from California (Mr. DOOLITTLE), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 238, not voting 6, as follows:

[Roll No. 413]

AYES—189

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goodling
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Radanovich
Rahall
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—238

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Serrano
Shays
Sherman
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Hastings (FL)	Porter	Ros-Lehtinen
Kingston	Pryce (OH)	Shaw

□ 1756

Mr. TALENT changed his vote from ''no'' to ''aye''.

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4, AS MODIFIED, OFFERED BY MR. BEREUTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 4, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 181, not voting 10, as follows:

[Roll No. 414]

AYES—242

Aderholt	Cubin	Isakson
Archer	Cunningham	Istook
Armey	Danner	Jenkins
Bachus	DeLay	John
Baker	DeMint	Johnson, Sam
Baldacci	Dickey	Jones (NC)
Ballenger	Duncan	Kaptur
Barcia	Dunn	Kasich
Barr	Edwards	Kelly
Barrett (NE)	Emerson	Kildee
Bartlett	English	Knollenberg
Barton	Evans	Kolbe
Bass	Everett	Kucinich
Bateman	Ewing	Kuykendall
Bentsen	Fletcher	LaFalce
Bereuter	Fossella	LaHood
Berkley	Fowler	Largent
Biggert	Franks (NJ)	Latham
Bilbray	Gallegly	LaTourette
Bilirakis	Ganske	Leach
Bliley	Gekas	Lewis (CA)
Blunt	Gibbons	Lewis (KY)
Boehner	Gillmor	Linder
Bonilla	Gilman	Lipinski
Bono	Goode	LoBiondo
Boswell	Goodlatte	Lucas (KY)
Boucher	Goodling	Lucas (OK)
Brady (TX)	Gordon	Luther
Bryant	Goss	Maloney (CT)
Burr	Graham	Manzullo
Buyer	Granger	Markey
Callahan	Green (TX)	Mascara
Calvert	Green (WI)	McCarthy (MO)
Camp	Greenwood	McCollum
Campbell	Gutknecht	McCrery
Canady	Hall (TX)	McHugh
Cannon	Hansen	McInnis
Chabot	Hastings (WA)	McIntosh
Chambliss	Hayes	McIntyre
Chenoweth	Hayworth	McKeon
Clement	Hefley	Metcalf
Coble	Herger	Mica
Coburn	Hill (MT)	Miller (FL)
Collins	Hilleary	Miller, Gary
Combest	Hobson	Moran (KS)
Condit	Hoekstra	Myrick
Cook	Holden	Nethercutt
Cooksey	Hostettler	Ney
Costello	Hulshof	Northup
Cox	Hunter	Norwood
Cramer	Hyde	Nussle
Crane	Inslee	Obey
Oxley	Sanford	Tancredo
Packard	Saxton	Tauzin
Paul	Scarborough	Taylor (MS)
Pease	Schaffer	Taylor (NC)
Peterson (MN)	Sensenbrenner	Terry
Peterson (PA)	Sessions	Thomas
Petri	Shadegg	Thornberry
Phelps	Sherman	Thune
Pickering	Sherwood	Thurman
Pickett	Shimkus	Tiahrt
Pitts	Shows	Toomey
Pomeroy	Shuster	Traficant
Portman	Simpson	Turner
Radanovich	Sisisky	Upton
Ramstad	Skeen	Visclosky
Regula	Smith (MI)	Vitter
Reynolds	Smith (NJ)	Walden
Riley	Smith (TX)	Wamp
Roemer	Smith (WA)	Watkins
Rogan	Souder	Watts (OK)
Rogers	Spence	Weldon (FL)
Rohrabacher	Stabenow	Weldon (PA)
Rothman	Stearns	Weller
Roukema	Stenholm	Whitfield
Royce	Strickland	Wicker
Ryan (WI)	Stump	Wise
Ryun (KS)	Stupak	Wolf
Salmon	Sununu	Young (AK)
Sandlin	Sweeney	

NOES—181

Abercrombie	Frelinghuysen	Moran (VA)
Ackerman	Frost	Morella
Allen	Gejdenson	Murtha
Andrews	Gephardt	Nadler
Baird	Gilchrest	Napolitano
Baldwin	Gonzalez	Neal
Barrett (WI)	Gutierrez	Oberstar
Becerra	Hall (OH)	Olver
Berman	Hill (IN)	Ortiz
Berry	Hilliard	Ose
Bishop	Hinchey	Owens
Blagojevich	Hinojosa	Pallone
Blumenauer	Hoeffel	Pascrell
Boehlert	Holt	Pastor
Bonior	Hooley	Payne
Borski	Horn	Pelosi
Boyd	Houghton	Pombo
Brady (PA)	Hoyer	Price (NC)
Brown (FL)	Hutchinson	Quinn
Brown (OH)	Jackson (IL)	Rahall
Burton	Jackson-Lee (TX)	Rangel
Capps	Jefferson	Reyes
Capuano	Johnson (CT)	Rivers
Cardin	Johnson, E. B.	Rodriguez
Carson	Jones (OH)	Roybal-Allard
Castle	Kanjorski	Rush
Clay	Kennedy	Sabo
Clayton	Kilpatrick	Sanchez
Clyburn	Kind (WI)	Sanders
Conyers	King (NY)	Sawyer
Coyne	Kleczka	Schakowsky
Crowley	Klink	Scott
Cummings	Lampson	Serrano
Davis (FL)	Lantos	Shays
Davis (IL)	Larson	Skelton
Davis (VA)	Lee	Slaughter
Deal	Levin	Snyder
DeFazio	Lewis (GA)	Spratt
DeGette	Lofgren	Stark
Delahunt	Lowey	Talent
DeLauro	Maloney (NY)	Tanner
Deutsch	Martinez	Tauscher
Diaz-Balart	Matsui	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dingell	McDermott	Tierney
Dixon	McGovern	Towns
Doggett	McKinney	Udall (CO)
Dooley	McNulty	Udall (NM)
Doolittle	Meehan	Velazquez
Doyle	Meek (FL)	Vento
Dreier	Meeks (NY)	Walsh
Ehlers	Menendez	Waters
Ehrlich	Millender-McDonald	Watt (NC)
Engel	Miller, George	Waxman
Eshoo	Minge	Weiner
Etheridge	Mink	Wexler
Farr	Moakley	Weygand
Fattah	Mollohan	Wilson
Filner	Moore	Woolsey
Foley		Wu
Frank (MA)		Wynn

NOT VOTING—10

Forbes	Lazio	Shaw
Ford	Porter	Young (FL)
Hastings (FL)	Pryce (OH)	
Kingston	Ros-Lehtinen	

□ 1805

Mr. MASCARA changed his vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, I regret that I was unavoidably detained in Chicago today on a family emergency.

Had I been present, I would have voted yes on rollcall Nos. 408, 409 and 410. I would have voted no on rollcall Nos. 411, 412, and 413. I would have voted yes on rollcall No. 414.

The CHAIRMAN. It is now in order to consider Amendment No. 7 printed in House Report 106–311.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

Mr. CALVERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 Offered by Mr. CALVERT:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 517. REQUIRING MAJORITY OF AMOUNT OF CONTRIBUTIONS ACCEPTED BY CONGRESSIONAL CANDIDATES TO COME FROM IN-STATE RESIDENTS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i)(1) The total amount of contributions accepted with respect to an election by a candidate for the office of Senator or the office of Representative in, or Delegate or Resident Commissioner to, the Congress from in-State individual residents shall be at least 50 percent of the total amount of contributions accepted from all sources.

''(2) If a candidate in an election makes expenditures of personal funds (including contributions by the candidate or the candidate's spouse to the candidate's authorized campaign committee) in an amount in excess of $250,000, paragraph (1) shall not apply with respect to any opponent of the candidate in the election.

''(3) In determining the amount of contributions accepted by a candidate for purposes of paragraph (1), the amounts of any contributions made by a political committee of a political party shall be allocated as follows:

''(A) 50 percent of such amounts shall be deemed to be contributions from in-State individual residents.

''(B) 50 percent of such amounts shall be deemed to be contributions from persons other than in-State individual residents.

''(4) As used in this subsection, the term 'in-State individual resident' means an individual who resides in the State in which the election involved is held.''.

(b) REPORTING REQUIREMENTS.—Section 304 of such Act (2 U.S.C. 434), as amended by sections 103(c), 204, and 307, is further amended by adding at the end the following new subsection:

''(h)(1) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall include the following information in the first report filed under subsection (a)(2) which covers the period which begins 19 days before an election and ends 20 days after the election:

''(A) The total contributions received by the committee with respect to the election involved from in-State individual residents (as defined in section 315(i)(4)), as of the last day of the period covered by the report.

''(B) The total contributions received by the committee with respect to the election involved from all persons, as of the last day of the period covered by the report.

''(2)(A) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall submit a notification to the Commission of the first expenditure of personal funds (including contributions by the candidate or the candidate's spouse to the committee) by which the aggregate amount of personal funds expended (or contributed) with respect to the election exceeds $250,000.

''(B) Each notification under subparagraph (A)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made; and

''(II) shall include the name of the candidate, the office sought by the candidate, and the date of the expenditure or contribution and amount of the expenditure or contribution involved.''.

(c) PENALTY FOR VIOLATION OF LIMITS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

''(4)(A) Any candidate who knowingly and willfully accepts contributions in excess of any limitation provided under section 315(i) shall be fined an amount equal to the greater of 200 percent of the amount accepted in excess of the applicable limitation or (if applicable) the amount provided in paragraph (1)(A).

''(B) Interest shall be assessed against any portion of a fine imposed under subparagraph (A) which remains unpaid after the expiration of the 30-day period which begins on the date the fine is imposed.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 2001.

Page 86, line 10, strike ''(2 U.S.C. 437g(d)) is amended'' and insert the following: ''(2 U.S.C. 437g(d)), as amended by section 517(c), is further amended''.

Page 86, line 12, strike ''(4)'' and insert ''(5)''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. CALVERT) and the gentleman from Delaware (Mr. CASTLE) each will control 5 minutes.

The Chair recognizes the gentleman form California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to introduce the Shaw-Calvert-Gallegly amendment. It is a simple reform that would make candidates 100 percent accountable to the people they represent by controlling the source of campaign funds.

Unfortunately, some of our colleagues from Florida, including the gentleman from Florida (Mr. SHAW), have hurricane-force winds bearing down on their homes. Our prayers are with them and their constituents as they brace for Hurricane Floyd's impact. The gentleman from Florida (Mr. SHAW) requested that I offer this amendment in his absence.

Too many candidates take their show on the road and sell themselves to the Americans all across this country. This practice comes at the expense of the people the candidate is supposed to represent. When a candidate has to primarily rely on money from people outside their home State, they no longer need to listen to the needs and concerns of their own constituents.

This amendment requires candidates to raise at least half of the money for their campaigns from their home State. Through this simple requirement, we give all Americans a greater voice in the political process.

I introduced a similar amendment last year that received 147 votes. My colleague, the gentleman from Florida (Mr. SHAW), also submitted a similar amendment last year that garnered 160 votes.

We brought the best of both bills together today, working with the gentleman from Florida (Mr. SHAW) and our colleague from California (Mr. GALLEGLY). We combined my language with the amendment of the gentleman from Florida (Mr. SHAW) to address the concerns of Members about the constitutionality of its provisions.

I also heard from a number of Members who are concerned about the wealthy candidates abusing these provisions for their own advantages. These are valid concerns, and we have amended the language accordingly.

Should a candidate face an opponent that uses more than $250,000 of their own funds in a campaign, all candidates would be exempt from this amendment's provision.

This amendment is common sense electoral reform, and I hope that every Member will support it.

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

Mr. CASTLE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I do rise in opposition to this legislation. It is not quite as simple as it sounds. And it does sound, I believe, good on its face. But the truth of the matter is there are those of us in small States, and I am one of them, there are those that have border districts, which small States automatically have, so I am one of them, as well. And there are those who are from very poor districts throughout this country who have problems raising campaign funds. I am not in that category, as Delaware is a relatively wealthy State.

When I first ran four terms ago for the Congress of the United States, I was out-spent by my opponent, not significantly, but I was out-spent. He raised at least 90 percent, probably a lot greater percentage, of his money from outside Delaware. We made a campaign issue out of it. It worked out just fine. And I understood what the process was. He was allowed to raise that money and he could.

If we are going to carry this to the nth degree, we really should say that no money should come from outside a particular State.

Delaware has 800,000 people. Many of my constituents cross over into Pennsylvania and Delaware on a regular basis and back over. It is almost impossible to distinguish exactly where they are from, and it makes I believe a matter like this very complicated.

The Shays bill calls for a study of this, and I believe that we should go with that.

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

Mr. CALVERT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert amendment.

This key amendment requires candidates to raise their money locally thereby aligning constituent and donor interest. By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections but also limit the power of Washington special interests.

This is a seminal change that should be coupled with anti-bundling reforms to restrict gaming of PAC donor limits and a requirement that half of a candidate's contributions come from an individual rather than PACs to achieve truly viable reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not the stated intentions of its proponents. By limiting the ability of all candidates to raise money, Shays-Meehan rewards candidate committees with a broad, already-established donor base.

Specifically, incumbents, Shays-Meehan is clearly the incumbent protection bill in this debate. Because Shays-Meehan tilts the field to incumbents, this amendment is necessary to help correct this fatal flaw by forcing incumbents and challengers to raise half their money at home and compete on a level playing field.

I urge all my colleagues and all true friends of campaign finance reform to vote in favor of this amendment. However, without additional perfecting amendments, I, for one, cannot support Shays-Meehan this evening. And I feel bad about that.

I hope this amendment is successful.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the honesty of the gentleman from Pennsylvania. He makes it clear he is against Shays-Meehan, so he is for an amendment which would kill it.

Here is one of the problems. We have, in the first place, some very large States, California. When the gentleman from California, and two of the three sponsors are from California, talk about how self-sacrificing they are going to be because they can only go from San Diego to north of San Francisco, that is not very self-sacrificing compared to people from much smaller States.

We have small States in this country with ethnic diversity. Let us be very

clear. Money and ethnicity are sometimes correlated. And if we now tell African-American candidates in the South, now that we have redistricting rules from the Supreme Court that say that the districts have to be fairly evenly balanced ethnically, if we tell candidates in Mississippi and South Carolina and Alabama, these smaller States, that the money has to be raised in State, we are putting minority candidates at a significant disadvantage. Because we know as a fact that wealth is not equally distributed, and we put ethnic minority candidates at a disadvantage.

Finally, as to incumbent protection, when we limit money to that State, we are increasing incumbent protection because the incumbent in a small State is far more likely to be able to raise the money.

Mr. CALVERT. Mr. Chairman, I yield myself 15 seconds to answer the concern of the gentleman.

My amendment probably will not even impact most candidates. According to the Congressional Research Service, in 1996 only 8 percent of total known receipts raised by Democratic candidates for the House came from outside their State. A similar figure for House Republican candidates was 7 percent.

Mr. Chairman, I yield 30 seconds to my good friend, the gentleman from the State of Michigan (Mr. SMITH).

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

□ 1815

Mr. SMITH of Michigan. Mr. Chairman, I have introduced legislation that actually bans PAC money from donating to individual congressional campaigns and requires that congressional candidates raise 50 percent of the money from within their own legislative district. Having a requirement that 50% of contributions for a Member of Congress come from the State is reasonable. It moves us in the right direction, and it helps make sure that constituents are going to be represented, not special interests.

Mr. Chairman, let's concentrate on constituent interests, not special interests. As the great political reporter Theodore White wrote, "The flood of money that gushes into politics today is a pollution of democracy." I haven't accepted PAC contributions since I first ran for the Michigan state senate in 1982. Although I knew I would always vote the way I felt was right regardless of who donated to my campaign, I also knew that it was equally important that my constituents had no doubts about how much PAC lobbyists might be influencing my decisions.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I rise in strong opposition to the Shaw-Calvert amendment. This bill requires candidates to raise 50 percent of their contributions from their own State. This bill makes it difficult, if not impossible, for candidates to remain competitive if they represent low-income districts, border or small geographic districts.

When I rise to speak in Congress, I represent more than the 11th Congressional District of Ohio. I represent the hopes and dreams of the descendants of a host of African Americans who were enslaved, beaten, hung, brutalized and died, and are still underrepresented in the United States Congress.

Their descendants, wherever they reside, should be able to contribute to my campaign. When I rise to speak in this House, I represent the United States as a whole. I recommend that a commission be appointed to study the impact this provision would have on the ability of Members to raise sufficient funds when they represent low-income, border and minority districts. Until such a commission is appointed, I urge my colleagues in this House to vote ''no.''

Mr. CALVERT. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. BILBRAY.)

Mr. BILBRAY. Mr. Chairman, I rise as a strong supporter of Shays-Meehan. I was one of the original cosponsors. I rise as a representative of all the people in the 49th District of California.

The supporters of true campaign finance reform in my district have come to me and said they want Shays-Meehan passed, but they want a condition that says at least half of your money should come from your State. The fact is, these rules will apply to everyone equally in the district that is being run for.

Now, there was a gentleman from Massachusetts who said, ''Why not make it district?'' My constituents would like to have it district, but this is a compromise. It is the minimum we can do. Let us do true campaign finance reform, pass Shays-Meehan, and require half the money to come from your State.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I rise in opposition to this amendment because I think it is an attempt to undermine the Shays-Meehan campaign finance reform bill. That bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal. Every single one of us who comes to this body takes an oath of office to support and defend the Constitution against all enemies, foreign and domestic. The biggest enemy to our constitutional democracy is campaign money.

This city was built on a swamp over 200 years ago. It has returned to being a swamp, a swamp that is dirtied by the huge amount of special interest money that pours in here and stacks the deck against the typical American seeking a legitimate role in the political process.

As far as this amendment is concerned, as a Californian, a State that is wealthy and supports its candidates, I urge my colleagues to vote against it. There will be no way we will have more women and more minorities in this Congress if we pass this legislation. This Congress will never look like America. I urge a ''no'' vote.

Mr. Chairman, I rise in strong support of the Shays-Meehan campaign finance reform bill. The gentlemen are to be commended for their leadership in bringing hope to the House that we will finally break the bonds between the political process and big monied special interests.

The Shays-Meehan campaign finance reform bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal.

Unfortunately, an election system based on wealth and money distorts the political process and adversely affects the civil rights of low-income Americans by allowing politicians and fundraisers to dismiss or ignore their voices and infringe on their voting rights. While first amendment concerns have been raised, civil rights concerns must be addressed first.

The Shays-Meehan bill includes a ban on soft money at the Federal and State level; a ban on foreign money entering the system; tougher political advertising disclosure requirements; mandatory electronic filing and internet posting of a candidate's Federal Election Commission reports; and establishment of a Commission to study further reforms to improve our campaign finance system.

When Washington, D.C. first was established as America's capital, it was built on a swamp. It is still a swamp, a swamp dirtied by the huge amounts of special interest money that pours in here and stacks the deck against the typical American seeking a legitimate role in the political process.

I urge my colleagues to oppose all the poison pill amendments and substitutes designed to derail this measure. America needs real campaign reform in the political process. Let's support today's bipartisan campaign finance measure.

Mr. CASTLE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard the arguments here. We do not have a very long time to discuss this tonight. We only have 10 minutes. The bottom line is, I think there are some serious questions about this. I have raised some about the small State problem that I have, the border districts where the people you really know, such as in a Kansas City situation, for example, right up in the border between two different States, those districts which are extraordinarily poor, represented often by minorities which need some help with respect to these circumstances.

Let me just point out what is in the Shays-Meehan bill, because I think before everybody votes, they should understand this, and that is simply this. It establishes a bipartisan commission

to study the impact of such concerns, and I think it goes a long way toward addressing the problem of campaign finance reform. This is what we need to do.

I think that the gentleman from California's amendment raises a serious question, something perhaps we should consider, but I do not think we are ready to vote on it at this particular time and make it part of the law of the United States of America. I think, indeed, it is something that we should continue to look at and should continue to discuss, make some sort of professional determination if it is possible; if so, what it should be. For now, this amendment should be defeated and the Shays-Meehan bill should be passed.

Mr. CALVERT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in closing, it is constitutional, it is common sense, it is constructive. I have been for this since I have been in Congress. I am in my fourth term. I was for this in my first term, and I am still for this. It is a good idea. Give your citizens a greater voice and vote for this amendment.

Mr. SHAW. Mr. Chairman, I rise today in support of the Shaw-Calvert-Gallegly amendment to H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999.

The Shaw-Calvert-Gallegly amendment is a common sense solution to reforming our current campaign finance laws. Our amendment would simply require candidates running for Congress to raise and accept no less than 50 percent of the total contributions from within the State they represent.

Our amendment is simple and fair. It does not tilt the playing field in favor or Republicans or Democrats. If affects rich and poor districts equally. Our amendment does, however, lessen the huge advantage Washington insiders have over challengers who do not have access to the out-of-state fundraising circuit.

In the past, some congressional candidates have raised as much as 95 percent of their campaign funds from out-of-State donors. This amendment would require that candidates should be financially supported at least in part by the citizens they wish to represent.

Mr. Chairman, Members should spend more time with the people that really count, namely the voters in our districts. We should show our constituents that we represent Main Street, not K Street. If you believe we should bring the focus of fundraising back to the people we represent, then I urge you vote in favor of the Shaw-Calvert-Gallegly amendment.

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert-Gallegly amendment to H.R. 417. This key amendment requires candidates to raise their money locally, thereby aligning constituent and donor interests. I have supported similar legislation in previous sessions of Congress. In fact, during the 105th Congress, I drafted a similar amendment to this one.

By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections, but also limit the power of Washington special interests. This change should be coupled with antibundling reforms to restrict gaming of PAC donor limits and a requirement that half of a candidate's contributions come from individuals rather than PAC's to achieve more meaningful reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not simply the promises of its proponents. By limiting the ability of all candidates to raise money, the Shays-Meehan proposal rewards candidate committees with broad, already established donor files. The only committees with that type of donor file are incumbents.

Because the Shays-Meehan proposal tilts the field to incumbents, this amendment is necessary to help correct this potentially fatal flaw by forcing incumbents and challengers to compete on a level playing field.

I urge my colleagues to vote in favor of this amendment. However, without these additional amendments, I cannot support the passage of Shays-Meehan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CALVERT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. CALVERT) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 106–311.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

Mr. SWEENEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SWEENEY: Amend the heading for title X to read as follows (and conform the table of contents accordingly):

TITLE X—REIMBURSEMENT FOR USE OF GOVERNMENT PROPERTY FOR CAMPAIGN ACTIVITY

Add at the end of title X the following new section (and conform the table of contents accordingly):

SEC. 1002. REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, and 1001, is further amended by adding at the end the following new section:

''REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL

''SEC. 329. If a candidate for election for Federal office (other than a candidate who holds Federal office) uses Federal government property as a means of transportation for purposes related (in whole or in part) to the campaign for election for such office, the principal campaign committee of the candidate shall reimburse the Federal government for the costs associated with providing the transportation.''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from New York (Mr. SWEENEY) and the gentlewoman from New York (Mrs. MALONEY) each will control 5 minutes.

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

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I offer this amendment today to strengthen the Nation's election law and bring a higher level of accountability into the campaign process.

I believe there are, among other things, two important goals of Federal election law. First, election laws level the playing field for candidates running for office, offering access to the process to all Americans. The amendment I am offering today attempts to open up the process so that all candidates have a chance to get the job despite disadvantages in campaign resources. We want the best, the brightest, the most qualified, to have a shot at winning a seat, not only those with access to either money or resources. Second, the reforms we are discussing today attempt to further distinguish the political campaign activities from official duties.

One of the issues we are addressing today is the perception among many Americans that the line between official duties and campaigning has been blurred. Americans deserve not to have policy decisions so colored by political motives, especially when their tax dollars are involved.

Mr. Chairman, my amendment addresses both of these objectives by leveling the playing field and separating political campaign activities from official duties. The proposal is simple and reasonable. If you are seeking elected office and you use government-owned property for campaign travel purposes, you must fully reimburse the American taxpayer. This will ensure that no candidate is given an unfair advantage over another.

Few people have access to government-owned vehicles, particularly military aircraft. Those that do should be responsible for paying the full and actual cost of travel when campaign activities are involved. This amendment will not only make the candidate more accountable to the taxpayer, but it also removes the unfair advantage that any individual may hold over candidates without access to government transportation.

This amendment also strengthens the separation between campaign activities and official duties. Candidates who use government-financed transportation, while defending the practice, often split hairs over what constitutes campaigning versus official business. We have an obligation to make these activities separate and distinct.

The American public deserves to know that every candidate using any government vehicle will not violate the public trust by traveling at taxpayer expense. We are free to run for office, but as we all know here today, running for office is not free. Neither are we free to spend the taxpayers' hard-earned dollars unless, of course, your campaign headquarters is some military jet. Freedom has its cost, running for office has its cost, but let us not confuse the two. One we gain at birth, the other we must earn.

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

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to the Sweeney amendment. We have an opportunity today to pass real campaign finance reform, but instead we are wasting our time on a mean-spirited, petty, politically partisan charged amendment that has nothing to do with real campaign finance reform.

The goal of this amendment is to target the First Lady by forcing her to pay for the full costs of her travel when she flies on government planes. Mrs. Clinton is already following the same FEC rules as all other candidates, rules that require her to reimburse the government for the fair value of the travel. If this amendment were to pass, the First Lady may be forced to abandon the security the Secret Service says she needs or face tremendous costs that no candidate could afford. We should not compromise her security for political, partisan purposes.

The gentleman from New York's amendment would apply to all candidates, and I quote, other than a candidate who currently holds Federal office. So the gentleman from New York would exempt himself. He says that it is okay to have two sets of rules, one for the current officeholders, himself, and another one for everyone else. It is a double standard. It is a glaring loophole.

I have a letter here from the chair of the Federal Election Commission which I would like to place in the RECORD at the appropriate time which states clearly that no provision of current law covers incumbent travel, that only FEC regulations apply.

The gentleman from New York would like to undermine these regulations by passing a law that specifically exempts himself, other incumbents and creates an enormous loophole. If the gentleman from New York's amendment is such a good idea for Mrs. Clinton, then why do we not apply it to candidates who rely on State and city transportation and State and city security when they run for Federal office? Or better yet, why do we not apply it to the gentleman from New York and Members of this body who may fly on corporate or commercial planes but are not required to reimburse the company or the government for the full cost of the plane?

We should not open up a huge loophole in election law by punishing challengers and giving the gentleman from New York and incumbents a free ride. Campaign finance reform is supposed to be about leveling the playing field, but here he is creating one standard for everyone else and Mrs. Clinton and a very different standard for incumbents. It is petty, it is partisan, it is just plain mean.

I urge my colleagues to reject the Sweeney amendment.

FEDERAL ELECTION COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, DC, May 14, 1991.

Hon. ROBERT E. WISE, JR.,
Chairman, Government Information, Justice and Agriculture Subcommittee, Committee on Government Operations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: this responds to your April 25, 1991, letter requesting information concerning the application of Federal election law to the use of Government-owned aircraft for political purposes.

Your letter cites 24 flights taken by the White House Chief of Staff on aircraft owned by the Federal government that are listed as ''political'' in nature. You state that the chief of Staff or a campaign or political organization reimbursed the Department of Defense for these flights in the amount of ''coach fare plus one dollar.'' You request a summary of the law pertaining to political travel on Government aircraft and also ask how the pertinent laws ''would apply to the Chief of Staff's travel as listed'' in the enclosure submitted with your letter.

In addition, you are ''interested in how Federal election law applies to the President's use of military aircraft for political purposes,'' and whether the law applies differently when the aircraft is used for political purposes ''by other personnel.'' You further ask whether the ''rules change'' when Government aircraft is used ''in support'' of a Presidential candidate after he or she qualifies for Federal matching funds.

In view of the requirements of the Federal Election Campaign Act of 1971, as amended (''the Act''), it is not appropriate for me or the Commission to issue a ruling or opinion of an advisory nature in response to your inquiry. The advisory opinion procedure, as set forth in the Act, authorizes the Commission to give such an opinion only in response to the written request of any person who describes his or her own prospective or ongoing activity, not that of another person. 2 U.S.C. §437f, 11 CFR 112.1(b). Any person who believes that someone else may have violated the Act may file a sworn complaint with the Commission presenting the alleged facts and related violations. 2 U.S.C. §437g, 11 CFR 111.4.

Notwithstanding the inability to give such official advice, we can respond to your request for general information as to those provisions of the Act and Commission regulations that govern campaign travel on Government-owned aircraft for the purpose of influencing *Federal* elections, since the Commission has no jurisdiction over State election law.

First, the Act and the presidential public funding provisions of the Internal Revenue Code (26 U.S.C. §§9001–9042) are silent with respect to any use of Government-owned aircraft by any person in connection with any election for Federal office. the 1979 amendments to the Act did make clear that the use of appropriated funds of the Federal government would not result in a ''contribution' to influence a Federal election because the Federal government is not a ''person''; only persons are deemed to have the capacity to make contributions under the Act. 2 U.S.C. §§431(8)(A), 431(11). The legislative history further indicates that misuse of appropriated funds is a violation of Federal law and subject to enforcement by other agencies, not the Federal Election Commission. (report of Committee on House Administration, Federal Election Campaign Act Amendments of 1979, H. Rep. No. 96–422, 96th Cong., 1st Sess. 6, 7, 11 (1979).)

Several Commission regulations govern expenditures for campaign travel in connection with Federal elections and include provisions pertaining to campaign travel via Government-owned conveyance, which would include Government-owned aircraft. those cited herein are most pertinent in your inquiry and copies are enclosed for your reference.

11 CFR 106.3 pertains to allocation of campaign travel expenditures with respect to campaigns for Federal office,other than presidential candidates who receive Federal matching funds or grants for their campaign expenses. See, in particular, 11 CFR 106.3(e).

11 CFR 114.9(e) applies to the use of noncommercial corporate (or labor organization) aircraft for campaign travel in connection with a Federal election. It does not apply to the campaign use of aircraft owned by the Federal government.

11 CFR 9004.7 governs the allocation and payment of campaign travel expenditures by presidential and vice presidential candidates who accept Federal funding for their general election campaigns. See, in particular, 11 CFR 9004.7(b)(4) and (b)(5) with respect to use of Government-owned aircraft.

11 CFR 9034.7 governs the allocation and payment of campaign travel expenditures by a presidential candidate seeking nomination by a political party who has accepted Federal matching funds for his or her primary election campaign. See, in particular, 11 CFR 9034.7(b)(4) and (b)(5) regarding use of Government-owned aircraft.

I hope you will find this letter and the enclosed materials helpful for purposes of your inquiry. If you have any other questions, please contact me or John Surina, our Staff Director.

Sincerely yours,

JOHN WARREN MCGARRY,
Chairman for the Federal Election Commission.

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

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I am confused by my colleague and friend from New York and her position. First I am confused because I do not recall at any point in my opening remarks mentioning the First Lady and her bid for the Senate seat in New York State. Although I will say that on recess and throughout all of the travels that I have had in my district, a number of my constituents, in fact many of my constituents, have raised concerns about the inequity that exists with an individual who may or may not be a candidate using the resources of Air Force One or a military jet to conduct what may or may not be a campaign.

But let me address and respond to some of the positions that my good friend has taken. First, let me point out that the loophole that exists in the current proposal, in the underlying bill, would be a loophole that would allow a candidate who is not defined as a public officer, which the First Lady certainly fits under, to use the resources for transporting back and forth to conduct campaign activities. If we pass the underlying legislation, the President, the Vice President, other Federal officials, including myself, would not be able to use those resources, not that I have that available to me at this point in time, anyway, but they would not be able to do that. And the loophole that would exist would be one that would allow for a

continuation of that kind of use by a candidate who does not fall under that public officer definition.

Let me also talk about the issue of security and abandoning security and you talk about red herrings being thrown out there. At no point and no time do any of us advocate that security concerns as it relates to the First Family or any other Federal official who duly needs that kind of security be taken away from them. In fact, we all recall that it was just several years ago that Saddam Hussein and other Mideast terrorists threatened the life of former President Bush. It was because we had strong security around former President Bush that we were able to thwart that attempt.

□ 1830

I in no way intend to hinder the security today or in the future of the First Family, and I suspect and I propose that because we require a full reimbursement for the use of military jets we are not diminishing in any capacity. In fact, we are not diminishing the opportunity for the First Lady or anyone else who has access to those vehicles to use them. That is a choice that they will make, a choice that they will make in conjunction with the security interests that they will have as well.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the gentleman is so certain that current officeholders are already covered, I would ask him to cite the specific provisions of election law that applies. Just tell me where in the Federal Election Act, and I will not yield, the gentleman may talk on his own time. It says that current officeholders are blocked from using Government travel for political purposes, but the challengers are not. I have a letter from the Chair of the FEC which says that no provision of current law covers it.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), my good friend.

Ms. LOFGREN. Mr. Chairman, this partisan amendment is overtly aimed at the First Lady of the United States and no one else. Now candidates in Government planes pay back the Government for any part of their travel which is campaign related. If a candidate has to be guarded by the Secret Service, the FEC accommodates that in the cost calculation. That is the right thing to do.

A democratic Nation requires physical safety for public officials, and by the way, keeping the First Family safe benefits us all. This dangerous amendment also violates the Constitution's equal protection clause. Federal candidates who are not officeholders would pay, but not candidates who are already elected.

Mr. Chairman, that is a brand-new loophole for the in-crowd. The effect would be to repeal the repayment rule, but only for those already elected to a federal office. It could benefit every Member of this House, but not those who challenge us.

This amendment creates special protections for federal officeholders that singles out the First Lady for bad treatment. It is bad policy, it is unconstitutional, it is petty, and it is unchivalrous. It deserves to be voted down.

Mrs. MALONEY of New York. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Maryland (Mr. HOYER), the leader of the Democratic party.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) is recognized for 30 seconds.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman from New York for yielding this time to me.

We ought to reject this amendment. This is a large issue which we are debating, campaign finance reform. The American public wants campaign finance reform.

We ought not to mire ourselves in the petty politics, as the gentlewoman indicated. The gentleman from Pennsylvania says he did not mention the First Lady. He did not have to. He cannot mention anybody else that this affects. He cannot mention anybody else that this affects right off the top of his head. Mr. Chairman, I know it, and my colleagues know it. This is trying to make a petty political point to distract our attention from a major reform bill.

Reject this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York (Mr. SWEENEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. HOYER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from New York (Mr. SWEENEY) will be postponed.

It is now in order to consider Amendment No. 9 printed in House Report 106–311.

AMENDMENT NO. 9 OFFERED BY MR. DELAY

Mr. DELAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. DELAY:

Insert after title XV the following new title (and redesignate the succeeding provisions and conform the table of contents accordingly):

TITLE XVI—EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION

SEC. 1601. EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION UNDER FECA.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, 1001, and 1101, is further amended by adding at the end the following new section:

''EXEMPTION OF INTERNET ACTIVITIES

''SEC. 330. (a) IN GENERAL.—Except as provided in subsection (b), none of the limitations, prohibitions, or reporting requirements of this Act shall apply to any activity carried out through the use of the Internet or to any information disseminated through the Internet.

''(b) EXCEPTION.—Subsection (a) shall not apply to the solicitation or receipt of contributions.

''(c) INTERNET DEFINED.—The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Texas (Mr. DELAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. DELAY).

Mr. DeLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment will prevent the burdensome restrictions and regulations in Shays-Meehan from applying to the Internet. Shays-Meehan will impose unprecedented free speech restrictions and discussions on the Internet. Chat rooms, e-mail and personal Web pages will all be regulated by the Federal Government if Shays-Meehan, as drafted, becomes law.

I want to take a minute to show my colleagues how overreaching some of these restrictions are. This Web site right here was created by an anonymous, private person who supports the gentleman from Missouri (Mr. GEPHARDT), the minority leader. The purpose of this site is to tell other people why DICK GEPHARDT and other Democrats are good people. Simply put, this private citizen is exercising his first amendment rights to communicate. But under Shays-Meehan, this site would violate the law.

First of all, the site clearly falls within the broad and burdensome express advocacy definition in Shays. Second, this person does not disclose their name and address, which Shays-Meehan would require. And third, the person has not submitted proper information to the FEC concerning the independent expenditure.

Now I want my colleagues to look at this Web site. This is the Nazi Party home page that freely distributes its hate and its filth across the Web. Under Shays-Meehan, this site is not regulated. These hate mongers can distribute their opinions under the protection of the first amendment without regulation.

Now I find it very disturbing that an informational site like this private citizen who supports the gentleman from Missouri (Mr. GEPHARDT) will be regulated while this Nazi Web site can freely distribute its filth. What is the sense in this legislation?

The Internet is a medium that allows individuals to engage in political discourse without regulation. I believe we should encourage this dialogue, not discourage it through burdensome regulations. Citizens should not be forced to register their Web sites with the Federal Government, and my amendment protects the rights of individuals

who want to engage in political communication on the Internet.

Even Democrat FEC Commissioner Karl Sandstrom supports this approach, stating that the best remedy for questionable information is more information, and our goal should be to encourage, not discourage, this new form of political participation.

So, Mr. Chairman, I could not agree more. We must defend the constitutionally guaranteed freedom of speech, and I urge my colleagues to oppose the burdensome Internet restrictions in Shays-Meehan and support this free speech amendment.

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

Mr. DAVIS of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I would like to begin, if my colleague would promise to be brief in his response, with a colloquy with the distinguished majority whip. Do I take him to say that he would like to impose regulation on that Nazi website?

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. Absolutely not. I am for free speech, and I want open and free speech.

Mr. CAMPBELL. Reclaiming my time then, the gentleman's point about the unfair treatment is really not very based in fact in that he would have no regulation of either website. He pointed out that perhaps the Nazi site should be regulated.

Mr. DELAY. If the gentleman would yield, I never said that.

Mr. CAMPBELL. Mr. Chairman, I will allow the gentleman from Texas to correct it as I ask him the second question.

First off, let me just suppose for a moment this Gephardt For President web ad was paid for by the Red Chinese Communists. They put this money to put this ad on the web, and as I understand it, the gentleman's position would be that nobody would know that this was financed by the Communists in China—or similarly banner ads on the web that they can put on at huge expense, spending say, $10 million.

Is that correct? Do I understand the gentleman's position.

Mr. Chairman, I continue to yield to the gentleman from Texas.

Mr. DELAY. If the gentleman will yield, first of all, I think it is a specious argument because I do not know how we would require the Chinese to file with the FEC, number one; and it just points out how when we seek regulating free speech, how complicated it can get.

Mr. CAMPBELL. Reclaiming the time, it is apparent to me that the gentleman would not do anything to disclose the Red Chinese Communists funding a huge campaign for a candidate for office in the United States, provided they use the Internet loophole which his amendment creates, and that is exactly the reason why we have disclosure.

Shays-Meehan does nothing to prohibit free speech, but it does protect free speech by guaranteeing disclosure so that if the Red Chinese Communists are behind the gentleman from Missouri (Mr. GEPHARDT) for president, a possibility which I do not entertain, it would be known by the people of the United States.

What is going on in this amendment is absolutely clear. Just read it. It says ''Except as provided in subsection (b),'' which deals with fund-raising, ''none of the limitations, prohibitions *or reporting requirements* of this Act shall apply to any activity carried out through the use of the Internet,'' [emphasis added] Not even the reporting requirements would apply.

I think I was asked to speak on this because my district cares more about the Internet, I suspect, than the average, but fair is fair. If the means of dissemination are to be controlled, the Internet should be covered no more and no less.

Mr. DELAY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I rise in strong support of this amendment. As a general policy, the Government should not try to control or regulate the Internet, and I think most of the 90 million Americans who send e-mail or surf the Web would totally agree with us on this.

Last year we overwhelmingly approved the Internet Tax Freedom Act. We were wise enough to allow commerce on the Web to grow and flourish unfettered by Government interference before trying to tax or control it, and I believe that keeping Government bureaucracies out of the business of regulating political speech on the Web is a very important thing for us to do.

This is not a partisan statement at all. In fact, a Democratic commissioner of the Federal Election Commission recently said the Internet changes politics. On the Internet every woman and man is a potential publisher. One need only visit the Web page of a sophisticated high school student to see how slim a technical advantage media giants enjoy.

The Government should not involve itself in regulating free speech, and I believe that support of this amendment is the most responsible thing that we can do.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in strong opposition to the DeLay amendment. It is a poison pill that jeopardizes today's bipartisan effort to reform our campaign finance system.

The DeLay amendment exempts activities on the Internet from federal campaign finance laws. While proponents say they are protecting the Internet and protecting political speech, the DeLay proposal, if enacted, would endanger the Internet and stifle the voice of the average citizen. It is a step backwards; it is anti-reform.

First, it creates a potentially huge loophole through which big donors, corporations, and unions could pour unlimited funds into Internet ad campaigns to directly promote the election or defeat of a candidate. This would spread the disease of sham issue ads from the TV to the Internet.

Second, the DeLay amendment opens a loophole that would allow State parties to suspend unlimited amounts of soft money on Internet activities to influence federal elections.

Third, the DeLay amendment could undermine the FEC's authority to require mandatory electronic filing of campaign reports. That is hardly in the spirit of full disclosure so strongly advocated by the majority whip.

Despite the claims of the DeLay proponents, Shays-Meehan specifically allows nonpartisan voter guides to be distributed on the Internet as well as other venues. Despite the claim of DeLay proponents, the Shays-Meehan reform bill does not impose restrictions on users of e-mail or Internet chat rooms. Political discussion there is as protected and cherished as it is in the corner barber shop or a neighbor's living room. Shays-Meehan does not require people to list their Web sites with the Federal Government.

Mr. Chairman, the Internet is growing at an exponential rate. Congress thus far has taken a hands-off policy to let the Internet grow and flourish. The DeLay amendment, however, could undermine the freedom of the Internet by making it the favored conduit for special interests to fund soft money and stealth issue ads into federal campaigns.

Let us not poison the Internet and poison our democracy with this poison pill.

☐ 1845

Mr. DELAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in introducing the chairman of the Internet Caucus, the gentleman from Virginia (Mr. GOODLATTE), I would just say the Internet is pure free speech. That is what makes it a powerful force for freedom around the world and here in the United States.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Texas (Mr. DELAY) for yielding and for offering this amendment, which I urge my colleagues to support.

Mr. Chairman, the Internet has the potential to be a revolutionary force in the evolution of our system of democratic governance. The ability of citizens to share information at relatively

little cost enables all Americans to become active participants in the political process.

In response to the gentleman from California (Mr. CAMPBELL), there is no way to control what people outside the U.S. put on the Internet any more than the Chinese can control what U.S. citizens put on the Internet.

For the gentleman to attempt to regulate some poor soul who wants to have a web site promoting the gentleman from Missouri (Mr. GEPHARDT) or any other American citizen running for office is an outrage, and we should strongly support this amendment and protect free speech on the Internet.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 1 minute.

Mr. DAVIS of Florida. Mr. Chairman, I think it is important to point out exactly what the bill does. The bill does not single out the Internet in any fashion. It is for exactly the reasons that were expressed by Mr. DELAY. He cited a commissioner that said that the Internet is going to bring about great change.

One of the arguments that is constantly made by the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from California (Mr. DREIER) is that we should not take a snapshot of the Internet in an attempt to decide exactly what is going on there. This is a very fluid situation. That is why it needs to be studied. That is exactly what the FEC is doing. They are studying how the Internet is going to affect politics, and it will be a positive force.

Meanwhile, we are here on the floor of the House today debating the proposition that if somebody is going to intend to influence the outcome of an election, whatever medium they should choose, they should have to stand up and attach their name to anything that they intend to say or do.

Those people that are ashamed of the political advertising that they are engaged in today, so ashamed that they do not want to put their names on it, will resort to any media to accomplish that dirty deed. We need to put it to a stop. We need to adopt the issue ad restrictions in this bill. We need to defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. DELAY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Texas (Mr. DELAY) will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 106–311.

AMENDMENT NO. 10 OFFERED BY MR. EWING

Mr. EWING. Mr. Chairman, I offer amendment No. 10.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. Ewing:

Strike section 1601 and insert the following (and conform the table of contents accordingly):

SEC. 1601. NONSEVERABILITY OF PROVISIONS.

If any provision of this Act or any amendment made by this Act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this Act or any amendment made by this Act shall be treated as invalid.

In the heading for title XVI, strike ''**SEVERABILITY**'' and insert ''**NONSEVERABILITY**'' (and conform the table of contents accordingly).

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Illinois (Mr. EWING) and the gentleman from Massachusetts (Mr. FRANK) each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Chairman, I yield myself such time as I may consume.

First and foremost, I support campaign finance reform. Leadership supports campaign finance reform. Both the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) support campaign finance reform. However, this debate should center around real campaign finance reform, reform that closes loopholes that have tainted the current system; reforms which treat both political parties fairly; and reforms that protect the First Amendment rights of all Americans.

My amendment is about preserving the First Amendment rights of all Americans by enacting constitutionally accepted campaign finance reform.

In a hearing before the Committee on House Administration, constitutional experts from the ACLU to the Cato Institute indicated that Shays-Meehan was very seriously constitutionally flawed. In fact, those witnesses believed that important elements of the Shays-Meehan bill would be unconstitutional.

The proponents have indicated that Shays-Meehan is constitutional in all its major provisions. Yet, if the Court rules that any key provision of this bill is unconstitutional, this would put an unprecedented monkey wrench into our current system and make a bad situation worse.

Congress went down this road in the 1970s when it enacted laws without nonseverability provisions. This created the soft money problem we are trying to address today.

My amendment says one simple thing. If any part of the Shays-Meehan bill is ruled unconstitutional, then the entire bill becomes invalid. All the Ewing amendment does is provide a constitutional check for the bill. Recently, supporters of Shays-Meehan have declared my amendment a poison pill to their legislation. It seems to me that the proponents believe that much of this bill is unconstitutional and that is why they are opposed to my amendment.

If the supporters of Shays-Meehan feel that their bill will stand the constitutional test, then why should they have any problem with supporting this amendment?

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I have a great degree of admiration for my good friend and colleague who proposes this amendment. And I have some sympathy for the concept of the amendment because, when the original bill was passed in 1974, it had expenditure limits and it had contribution limits. And I can understand how the two would march together or not at all. But that simply is not the case with Shays-Meehan.

In other words, there is in Shays-Meehan a prohibition on sham issue ads. That is a good prohibition whether the rest stands or falls. There is in Shays-Meehan a prohibition on contributions of a soft money nature. That is a good prohibition whether sham issue ads stand or fall. In other words, this bill is unlike the 1974 bill where, in order to get expenditure limits, one had to have contribution limits, and vice versa. Here, both are good. There is no quid pro quo. There is not, for example, a sacrifice that Democrats make in order to get a sacrifice for Republicans to make. Both provisions of this bill, the sham issue ad ban and the prohibition on soft money, are good.

Second, I think it is only fair that the authors of Shays-Meehan be allowed to offer their proposal and have it voted on as their proposal.

Third, I would just like to point out to all of our colleagues how frequently unanticipated provisions of bills are struck down. The clearest example of this is the one House veto, the legislative veto, struck down by the Supreme Court in INS versus Chadha. Nobody anticipated that. That same provision is in the laws about transfer of arms sales. It is in the war powers resolution. The war powers resolution, that allowed me to bring to the floor of the House the resolutions regarding Kosovo, had another provision saying that a single House could, by its order alone, withdraw the troops. We would have lost the entire bill, the entire value, the entire ability to bring the vote to the floor, simply because an unanticipated part was held to be unconstitutional.

Finally, I remain of the view that this bill is in all its parts quite constitutional, but I recognize people of goodwill can disagree. If one believes it is unconstitutional, which is the view of my good friend and colleague, then it seems to me just fairness would suggest that unless there is some overt quid pro quo in making this fabric into

one consistent whole, that he allow those parts which are constitutional to go ahead and work their beneficial effect.

With that, I conclude that the amendment though well intentioned is not the best way to proceed in this debate tonight.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Chairman, although I appreciate the argument of my friend, the gentleman from California (Mr. CAMPBELL), the idea that a portion of a significant campaign reform bill ought to be allowed to stand, notwithstanding the fact that other provisions are declared unconstitutional, is exactly why we are where we are today because back in the 1970s they attempted to use the model, and we have heard this phrase repeatedly on the floor, that we want to stop corruption or the appearance of corruption.

The court, I think quite properly, looked at contribution limits and said if we limit the amount that someone was given it certainly could be plausible that the limit was there to stop corruption or the appearance of corruption but in no way should it extend to the expenditure of money. How does spending money corrupt?

The court then took that same logic and applied it to individuals who spent their own money and a key portion of Shays-Meehan that we have been concerned about is those individuals who make independent expenditures exercising their First Amendment freedom.

We heard the gentleman from Florida (Mr. DAVIS) in his opening statement say Shays-Meehan is constitutional. We heard the gentleman from California (Mr. CAMPBELL) say they believe it is constitutional. What we ought not to do is go down the same road we went down 25 years ago with campaign election reform.

Any structure is balanced. If we can come to an agreement now and the court throws out a portion, we ought to be able to come back and come to an agreement on a whole, not on a piece. For more than 25 years, we have operated on a piece. It seems that if we want to go down the reform road again, we ought to opt as a whole. It is either all constitutional or if a portion of it is not, it all falls and we do it again.

The only way to stop repeating exactly what we have done in the last 25 years is to say there should be no severability clause; that it all stands or it all falls. That is exactly what the Ewing amendment does. It ought to pass.

Mr. FRANK of Massachusetts. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Massachusetts (Mr. FRANK) has 3 minutes remaining. The gentleman from Illinois (Mr. EWING) has 45 seconds.

Mr. FRANK of Massachusetts. Might I make a parliamentary inquiry. Do I correctly assume the gentleman from Illinois (Mr. EWING) plans to close with his 45 seconds and not divide it?

Mr. EWING. The gentleman is correct.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have just seen a demonstration that while proximity may breed contempt, it can also breed familiarity because my ally on this issue, the gentleman from California (Mr. CAMPBELL), anticipated the argument we just heard and refuted it before it was made; a very impressive feat. As he pointed out, this is not at all analogous to the 1974 act because it is not meant to be interlocking, and that is why this is a sham amendment.

The gentleman says well, if we think it is all constitutional what are we worried about? Well, I do not know what the Supreme Court will do and no one else does. It is entirely possible they will find some parts constitutional. It is clear that other parts will not be found constitutional.

The gentleman from California (Mr. THOMAS), who just spoke, said they have different standards for contribution limits and expenditure limits. When we are talking about soft money, we are talking about contributions and that would clearly be constitutional.

This is an effort to try to kill the whole thing, if any part of it fails, by people who are against it.

By the way, if we adopted this principle that we do not have severability clauses, guess what we would not have? The Telecommunications Act of 1996. We passed the Telecommunications Act. Maybe some people who voted for it wish we did not have it, but we have it. Part of it was found unconstitutional, the Communications Decency Act.

We would not have a Brady bill. Now, that may make some people happy, although probably fewer than would have said they were happy a couple of months ago, but the Brady bill was found partly unconstitutional, the part that mandated that local officials go ahead with it. It was only because there was a severability clause that we still have handgun checks, because if we followed this notion that it all has to be balanced and of a piece and it is either all constitutional or all unconstitutional there would be no handgun checks now.

We would not have a privacy right for children because when my colleague, the gentleman from Massachusetts (Mr. MARKEY), offered a privacy right to children, which was just done last year, it was merged with another obscenity bill, which has already been found unconstitutional at the district court level by a Reagan appointee.

So this notion that it all hangs or falls together is simply a way to try to hang this whole bill by people who are against it. The gentleman from California (Mr. THOMAS), who just spoke, said we all have to come to an agreement. Let us be honest. We are not coming to an agreement. The gentleman happens to be in disagreement with the majority on this bill. He is entitled to that, but he is not entitled to twist our normal constitutional doctrines around so that if the Supreme Court found any one piece of this unconstitutional, maybe the Supreme Court will find that there is a constitutional right of noncitizens to contribute, so maybe the majority that voted for the amendment will have then succeeded in killing the whole thing.

That is a nice way to go; there is a nonseverability clause, put through an amendment of dubious constitutionality, and then kill the whole bill. The fact is that we are not sure what will happen, but the key point was made by the gentleman from California. This is not an interlocking piece of jigsaw. It is a bill with several distinct provisions. If some part of the independent expenditure is held unconstitutional, that in no way makes it wrong to try to ban soft money, in no way. It in no way undercuts it. So, please, reject this silly notion that it is all constitutional or not and save Shays-Meehan.

Mr. EWING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me try to clear away some of this smoky rhetoric that has been put out here to mask the problem here.

This bill is an intricate interlocked bill that affects the Democratic Party and the Republican Party, and the part that affects the Republican Party is soft money and that will be constitutional; and the part that affects the Democratic Party is the issue advocacy and that will be unconstitutional. When we are done, we will have an unfair bill that does not treat both parties fairly and the gentleman knows it and I know it and that is why we should adopt this amendment.

Mr. ENGLISH. Mr. Speaker, I rise in strong support of the Ewing Amendment to H.R. 417. This amendment is a vital component to any meaningful campaign finance reform passed by the House today.

True advocates of campaign finance reform favor legislation that can survive legal challenge and remain balanced, that is, without unduly favoring one party or ideolgical grouping over another.

Many provisions of the Shays-Meehan bill that are most susceptible to unfavorable legal review are those most critical to the maintenance of this balance.

The Ewing Amendment fixes this by subjecting the entire Shays-Meehan bill to a rigorous test of Constitutionality. Non-severability is the true test of sincere reform. If my colleagues who support the Shays-Meehan bill really believe in the campaign finance reform package they are touting as the one real reform being debated today, I urge them to vote for this amendment.

Mr. EWING. Mr. Chairman, I yield back the balance of my time.

□ 1900

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. EWING).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Illinois (Mr. EWING) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 283, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 7 offered by Mr. CALVERT of California; Amendment No. 8 offered by Mr. SWEENEY of New York; Amendment No. 9 offered by Mr. DELAY of Texas; Amendment No. 10 offered by Mr. EWING of Illinois.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 7 offered by the gentleman from California (Mr. CALVERT) on which further proceedings were postponed and on which the noes prevailed by voice note.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 248, not voting 6, as follows:

[Roll No. 415]

AYES—179

Aderholt	Chenoweth	Fowler
Archer	Coburn	Gallegly
Armey	Collins	Gekas
Bachus	Combest	Gibbons
Baker	Condit	Gillmor
Ballenger	Cook	Goode
Barcia	Cooksey	Goodlatte
Barrett (NE)	Costello	Goodling
Bartlett	Cramer	Goss
Barton	Crane	Graham
Bereuter	Cubin	Granger
Bilbray	Cunningham	Green (WI)
Bilirakis	Davis (VA)	Gutknecht
Blunt	Deal	Hall (TX)
Boehner	DeLay	Hansen
Bono	DeMint	Hastings (WA)
Brady (TX)	Diaz-Balart	Hayworth
Bryant	Dickey	Herger
Burr	Doolittle	Hill (MT)
Burton	Duncan	Hilleary
Buyer	Dunn	Hobson
Callahan	Ehlers	Hoekstra
Calvert	Ehrlich	Hostettler
Camp	Emerson	Hulshof
Canady	English	Hunter
Cannon	Everett	Hutchinson
Chabot	Ewing	Isakson
Chambliss	Foley	Istook
Jenkins	Moran (VA)	Shuster
Johnson (CT)	Nethercutt	Skeen
Johnson, Sam	Ney	Smith (MI)
Jones (NC)	Northup	Smith (NJ)
Kelly	Norwood	Smith (TX)
Knollenberg	Nussle	Souder
Kolbe	Ose	Stearns
Kuykendall	Oxley	Stump
LaHood	Pease	Sweeney
Largent	Peterson (MN)	Talent
Latham	Peterson (PA)	Tancredo
LaTourette	Petri	Tauzin
Lazio	Pitts	Taylor (MS)
Leach	Pombo	Taylor (NC)
Lewis (CA)	Portman	Terry
Lewis (KY)	Radanovich	Thomas
Linder	Regula	Thornberry
Lucas (KY)	Riley	Thune
Lucas (OK)	Rogan	Tiahrt
Luther	Rohrabacher	Traficant
Maloney (CT)	Royce	Upton
Manzullo	Ryan (WI)	Vitter
McCollum	Salmon	Walden
McCrery	Sanford	Walsh
McHugh	Saxton	Wamp
McIntosh	Scarborough	Watkins
McKeon	Schaffer	Weldon (FL)
Metcalf	Sensenbrenner	Weller
Mica	Sessions	Wicker
Miller (FL)	Shadegg	Wolf
Miller, Gary	Sherwood	Young (FL)
Moran (KS)	Shimkus	

NOES—248

Abercrombie	Etheridge	LoBiondo
Ackerman	Evans	Lofgren
Allen	Farr	Lowey
Andrews	Fattah	Maloney (NY)
Baird	Filner	Markey
Baldacci	Fletcher	Martinez
Baldwin	Forbes	Mascara
Barr	Ford	Matsui
Barrett (WI)	Fossella	McCarthy (MO)
Bass	Frank (MA)	McCarthy (NY)
Bateman	Franks (NJ)	McDermott
Becerra	Frelinghuysen	McGovern
Bentsen	Frost	McInnis
Berkley	Ganske	McIntyre
Berman	Gejdenson	McKinney
Berry	Gephardt	McNulty
Biggert	Gilchrest	Meehan
Bishop	Gilman	Meek (FL)
Blagojevich	Gonzalez	Meeks (NY)
Bliley	Gordon	Menendez
Blumenauer	Green (TX)	Millender-McDonald
Boehlert	Greenwood	Miller, George
Bonilla	Gutierrez	Minge
Bonior	Hall (OH)	Mink
Borski	Hayes	Moakley
Boswell	Hefley	Mollohan
Boucher	Hill (IN)	Moore
Boyd	Hilliard	Morella
Brady (PA)	Hinchey	Murtha
Brown (FL)	Hinojosa	Myrick
Brown (OH)	Hoeffel	Nadler
Campbell	Holden	Napolitano
Capps	Holt	Neal
Capuano	Hooley	Oberstar
Cardin	Horn	Obey
Carson	Houghton	Olver
Castle	Hoyer	Ortiz
Clay	Hyde	Owens
Clayton	Inslee	Packard
Clement	Jackson (IL)	Pallone
Clyburn	Jackson-Lee (TX)	Pascrell
Coble	Jefferson	Pastor
Conyers	John	Paul
Cox	Johnson, E. B.	Pelosi
Coyne	Jones (OH)	Phelps
Crowley	Kanjorski	Pickering
Cummings	Kaptur	Pickett
Danner	Kasich	Pomeroy
Davis (FL)	Kennedy	Porter
Davis (IL)	Kildee	Price (NC)
DeFazio	Kilpatrick	Quinn
DeGette	Kind (WI)	Rahall
Delahunt	King (NY)	Ramstad
DeLauro	Kleczka	Rangel
Deutsch	Klink	Reyes
Dicks	Kucinich	Reynolds
Dingell	LaFalce	Rivers
Dixon	Lampson	Rodriguez
Doggett	Lantos	Roemer
Dooley	Larson	Rogers
Doyle	Lee	Rothman
Dreier	Levin	Roukema
Edwards	Lewis (GA)	Roybal-Allard
Engel	Lipinski	Rush
Eshoo	Ryun (KS)	Spratt
Sabo	Stabenow	Vento
Sanchez	Stark	Visclosky
Sanders	Stenholm	Waters
Sandlin	Strickland	Watt (NC)
Sawyer	Stupak	Watts (OK)
Schakowsky	Sununu	Waxman
Scott	Tanner	Weiner
Serrano	Tauscher	Weldon (PA)
Shays	Thompson (CA)	Wexler
Sherman	Thompson (MS)	Weygand
Shows	Thurman	Whitfield
Simpson	Tierney	Wilson
Sisisky	Toomey	Wise
Skelton	Towns	Woolsey
Slaughter	Turner	Wu
Smith (WA)	Udall (CO)	Wynn
Snyder	Udall (NM)	Young (AK)
Spence	Velazquez	

NOT VOTING—6

Hastings (FL)	Payne	Ros-Lehtinen
Kingston	Pryce (OH)	Shaw

□ 1922

Ms. KILPATRICK and Messrs. WEYGAND, FLETCHER, PICKERING, and ACKERMAN changed their vote from ''aye'' to ''no.''

Messrs. SAXTON, ISAKSON, CANNON, WAMP, CRAMER, LUTHER, WICKER, TAYLOR of Mississippi, PITTS, and MORAN of Virginia changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 offered by the gentleman from New York (Mr. Sweeney) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 167, not voting 5, as follows:

[Roll No. 416]

AYES—261

Aderholt	Bilbray	Callahan
Archer	Bilirakis	Calvert
Armey	Bliley	Camp
Bachus	Blunt	Canady
Baker	Boehlert	Cannon
Ballenger	Boehner	Castle
Barr	Bonilla	Chabot
Barrett (NE)	Bono	Chambliss
Bartlett	Boswell	Chenoweth
Barton	Boucher	Coble
Bass	Brady (TX)	Coburn
Bateman	Brown (OH)	Collins
Bereuter	Bryant	Combest
Berkley	Burr	Cook
Berry	Burton	Cooksey
Biggert	Buyer	Cox

Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dixon
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOES—167

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Frost
Gejdenson
Gephardt
Green (TX)
Gutierrez
Hall (OH)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Spratt
Stabenow
Stark
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1931

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. DELAY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Texas (Mr. DELAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 268, not voting 5, as follows:

[Roll No. 417]

AYES—160

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gibbons
Goode
Goodlatte
Goodling
Goss
Granger
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wu
Young (AK)
Young (FL)

NOES—268

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes

Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1941

Mr. MCCOLLUM changed his vote from ''aye'' to ''no''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. EWING

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 10 offered by the gentleman from Illinois (Mr. EWING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 259, not voting 7, as follows:

[Roll No. 418]

AYES—167

Aderholt
Archer
Armey
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cunningham
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Frost
Gekas
Gibbons
Gillmor
Goodlatte
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
Mica
Miller (FL)
Miller, Gary
Mollohan
Nethercutt
Ney
Northup
Norwood
Obey
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Radanovich
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—259

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baker
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roukema
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—7

Cubin
Hastings (FL)
Kingston
McKeon
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1948

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 11 in the nature of a substitute printed in House Report 106–311.

AMENDMENT NO. 11 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 11 in the nature of a substitute offered by Mr. DOOLITTLE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Citizen Legislature and Political Freedom Act''.

SEC. 2. REMOVAL OF LIMITATIONS ON FEDERAL ELECTION CAMPAIGN CONTRIBUTIONS.

Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations established under this subsection shall not apply to contributions made during calendar years beginning after 2000.'.'

SEC. 3. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 1999.''

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9014. TERMINATION.

The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 2000, or to any candidate in such an election.''

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

''(d) TRANSFER OF FUNDS REMAINING AFTER 1998.—The Secretary shall transfer all amounts in the fund after December 31, 2000, to the general fund of the Treasury.''

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9043. TERMINATION.

The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 2000.''

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9014. Termination.''

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Termination.''

SEC. 4. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.—Section 304(b)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended—

(1) by striking ''and'' at the end of subparagraph (H);

(2) by adding ''and'' at the end of subparagraph (I); and

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

''(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;''.

(b) DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 2001.

SEC. 5. PROMOTING EXPEDITED AVAILABILITY OF FEC REPORTS.

(a) MANDATORY ELECTRONIC FILING.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking ''permit reports required by'' and inserting ''require reports under''.

(b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE TO ANY POLITICAL COMMITTEE WITHIN 90 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended to read as follows:

''(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the indentification of the contributor, and the date of receipt and amount of the contribution.

''(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.''.

(c) INCREASING ELECTRONIC DISCLOSURE.—Section 304 of such Act (2 U.S.C. 434(a)), as amended by section 4(b), is further amended by adding at the end the following new subsection:

''(e)(1) The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.

''(2) In this subsection, the term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(d) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to reports for periods beginning on or after January 1, 2001.

SEC. 6. WAIVER OF ''BEST EFFORTS'' EXCEPTION FOR INFORMATION ON IDENTIFICATION OF CONTRIBUTORS.

(a) IN GENERAL.—Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking ''(i) When the treasurer'' and inserting ''(i)(1) Except as provided in paragraph (2), when the treasurer''; and

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

''(2) Paragraph (1) shall not apply with respect to information regarding the identification of any person who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to persons making contributions for elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

Mr. HOYER. Mr. Chairman, I ask unanimous consent to yield 7 minutes to the gentleman from Tennessee (Mr. WAMP) and 7 minutes to the gentleman from Massachusetts (Mr. MEEHAN) and they will control that time, leaving myself with 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) is recognized for 20 minutes.

Mr. DOOLITTLE. Mr. Chairman, do I have the right to close on this amendment?

The CHAIRMAN. No. The gentleman from Maryland (Mr. HOYER), as a member of the committee does.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have heard an awful lot about the problems of the present system. I would like to present what I believe are the problems with the system. I think it has tremendous problems. They are intolerable and they cry out for reform. It is just that the nature of the reform that I would favor is much different than the advocates of Shays-Meehan would favor.

I believe that today's campaign finance system requires current and prospective office-holders to spend too much time raising money and not enough time governing and debating issues. Today's system has failed to make elections more competitive. And indeed, since the 1974 amendments, the disastrous system we have that was created by those amendments, voter participation has actually declined.

Today's system allows millionaires to purchase congressional seats and inhibits the ability of challengers to raise the funds necessary to compete. Today's system hurts taxpayers by taking nearly $900 million collected in federal taxes and subsidizing the presidential campaigns of all sorts of characters, including convicted felons and billionaires.

Today the system hurts voters in our Republic by forcing more contributors and political activists to operate outside of the system where they are unaccountable and consequently more irresponsible. That latter fact is what causes the advocates of Shays-Meehan to focus upon soft money because that is one of those areas. But they fail to understand that what is driving soft money is the unadjusted limits on hard money, never changed in 25 years.

Justice Thurgood Marshall in Buckley v. Valeo observed that one of the points on which all members of the court agree is that money is essential for effective communication in a political campaign.

David Broder, not known I do not think as a Republican, this is not a conservative, but he wrote in the Washingtonian 3 years ago and said the following:

''Raise the current $1,000 limit on personal campaign contributions to $50,000. Maybe even go to $100,000.''

I note parenthetically, we could not even go to $3,000 tonight let alone 50 or 100 like Mr. Broder has recommended.

''Today's limits are ridiculous given television and campaigning costs. Raising that limit with full disclosure would enable some people to make really significant contributions to help a candidate.''

My campaign finance reform goals are the following: we should encourage political speech rather than limit it, like the supporters of Shays-Meehan want to do. We should promote competition, freedom, and a more informed electorate, not limit their information at the time when people are coming awake and paying attention to politics, namely, 60 days before an election. We should enable any American citizen to run for office, not just of the wealthy, not just the well connected. And that tends to be the trend if we continue down this road of regulation, like Shays-Meehan. We should increase the amount of time candidates spend with constituents in debating issues rather than raising money.

Just last week we lost a couple of candidates for the Senate because of this very thing. They could not put themselves through the absurd race to raise money that the present law requires.

And lastly, we should make candidates accountable to their constituents for the money they accept.

I propose to achieve those goals with the Citizen Legislature and Political Freedom Act embodied in H.R. 1922, which is the substitute I bring before my colleagues now.

This legislation repeals limits on how much individual and political action committees may contribute to candidates or parties. It repeals limits on how much parties can contribute to candidates. We think political speech is good, and we think those limits have got to go.

This bill also terminates the horrid taxpayer financing of presidential election campaigns that we have in place today. This legislation requires political parties to distinguish between federal and nonfederal funds and requires that each State party file with the FEC a copy of the same disclosure form as filed with the State. That way we do not add any bureaucratic requirements to what the States have to do, but we make the information available for people to see.

We require electronic filing of campaign reports, and we require those reports to be filed every 24 hours within 3 months of an election. With the advent of the Internet, any person with a computer and access to the Internet will be able to access this information. The media, of course, will do that and it will be available for all to see.

That is why we call ours the full disclosure act because we get right to the heart of it, and we make this information available to the electorate rather than empowering a new government information czar.

We require the FEC to post all campaign reports on the Internet. They do not have to go down to the government office and get the Xeroxed copy of the report somebody mailed in months after the election. They will have it right there on the Internet.

By the way, we also bar acceptance of campaign contributions unless specific disclosure requirements are met. We repeal, if you will, the best-effort rule. That is what the legislation does.

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

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. BILBRAY), who has been very active on this issue for many months and years now.

Mr. BILBRAY. Mr. Chairman, I regretfully have to stand in opposition to the substitute.

I think the gentleman from California (Mr. DOOLITTLE), my dear colleague that I have worked so closely with for so long, has come up with a lot of hard work and a total reform of the approach to campaign finance reform, and I have got to give him credit for that. He has shifted the whole perspective to a whole new view.

We may be there some day, but the fact is today we have Shays-Meehan in front of us. We have a bill that tries to correct the problems of campaign finance reform that was passed in the 1970s.

The proposal of the gentleman from California would totally approach the issue totally different than we have in the last 30 years. I would ask us to consider, let us see if we can fix the existing system before we try to replace the entire system with a whole new approach.

Now, I happen to have had the privilege of serving as a county supervisor in California in a county of 2.8 million people with districts as large as congressional districts; and our campaign limits were $250 a person, no PACs, no corporate checks, no union participation.

Let me tell my colleagues something: it works. I just ask, do not fear campaign finance limitations. It is an equal ground. Everybody plays by the rules, and we move forward.

So I have to say, in all fairness, I think the gentleman from California (Mr. DOOLITTLE) may have a great argument, but my question is, before we try to scrap the old system and move on, let us try to fix the one we have in Shays-Meehan.

Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), a cosponsor and an author of the clean elections bill himself.

Mr. TIERNEY. Mr. Chairman, I thank my colleague from Massachusetts for yielding me the time, and I congratulate him on once again having the tenacity to stay with the Shays-Meehan bill and bring it back to this House.

With all due respect, I suggest that the proposal by our colleague from California is a step backwards, certainly not a step forward. I would say that we should support the Shays-Meehan bill and note that that is in fact only a partial reform.

The bill that I propose pending before this body and some day, hopefully, we will get it as part of a rule and be able to debate it is the clean money, clean elections bill and in fact calls for public financing of campaigns.

I understand all of the arguments that the gentleman from California (Mr. DOOLITTLE) has made and just suggested. There is nobody that I hear in the district, no average citizen, that thinks that it is going to be easier on elections if in fact they can raise money or thinks that people are going to stop raising money at some point in time. In fact, if we raise the limits, they are going to spend more, raise more, have more TV ads and go on.

□ 2000

The clean money, clean elections bill will in fact be the one process by which we can lower the cost of campaigns. It requires broadcasters to give time for campaign ads at low or reduced cost, because in fact we have given them a public value, we have given them the spectrum, and they ought to in return give some public benefit back on that and that would reduce the cost of campaigns by some 40 or 50 percent.

The clean money, clean elections bill would limit the amounts of money spent. It would make campaign season shorter by virtue of the distribution schedule. It would make the money chase end. People would not have to spend virtually all their time raising money. And, in fact, it would allow people that are not personally wealthy and do not know people with $50,000 or $75,000 or $3,000 able to run for office and have a reasonable prospect of campaigning and winning. It is, in fact, the kind of campaign reform that most of America wants. State after State are passing referenda and certifying that they want to have a campaign system where they get their elective process back in their hands. They have heard all the arguments. All of those referenda has been put to them in a way of, ''Do you want public money buying bumper stickers for candidates?'' The resounding answer is ''Yes, rather than special interests paying that money, we want to have our election process back.''

Let us pass Shays-Meehan and get beyond that someday to real campaign finance reform.

Mr. DOOLITTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished House majority whip.

Mr. DELAY. Mr. Chairman, I think we just heard what this is all about. This is about more regulation of free speech and, at the end of the last speaker's remarks, taxpayer-funded elections. That is where we are headed when you regulate free speech and regulate the people's right to participate in the political system.

Mr. Chairman, I rise today in support of this substitute legislation. We simply cannot allow the participation of Americans in our democracy to be limited. We have an important choice today, a choice to either encourage participation in our political system or a choice to limit it. We can either choose to uphold the first amendment which guarantees our citizens the right to free speech, or we can choose to infringe upon this right.

Now, some of the rhetoric on the other side might sound good, but we must not allow those who support Shays-Meehan to fool us. In short, the Shays-Meehan bill restricts the democratic process by placing unfair regulations on those willing and able to compete as candidates and as their supporters. While accountability in fundraising is necessary, we must be sure that we do not limit the ability of those who want to compete through fair and worthy avenues to do so. The Doolittle substitute will instill this accountability. Among other things, the Doolittle substitute institutes new filing requirements and mandates that the Federal Election Commission post all campaign reports on the Internet. After all, what reform can restore accountability more than an open book? Simply put, freedom works.

Only those supporting Shays-Meehan would think that freedom is a step

backwards. The important responsibility of this body is to protect freedom, not take it away.

Mr. Chairman, Congress must work to reform, not restrict, the political process. We must encourage, not limit, our citizens' ability to participate in the political system. I urge my colleagues to vote for fairness, vote for freedom in our political system by supporting this substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOEFFEL), one of our most distinguished new Members.

Mr. HOEFFEL. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute amendment. A vote for the Doolittle substitute is a vote to kill Shays-Meehan. I urge opposition to all of the poison pill substitutes and urge support of Shays-Meehan.

The Doolittle substitute would eliminate all Federal contribution limits, end public financing of presidential campaigns, which has worked well, and would weaken the disclosure requirements contained in Shays-Meehan.

Instead, we should adopt Shays-Meehan, which prohibits soft money contributions, stops the sham issue ads and strengthens FEC disclosure and enforcement.

The House should also pass comprehensive reform to implement voluntary spending limits for campaigns in exchange for partial public financing and free and discounted air time. These reforms also deserve a floor debate and the attention of this House.

Again, I urge my colleagues to oppose Doolittle, support Shays-Meehan, and move on to Tierney.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute. The Doolittle substitute repeals all existing limits on contributions, ends the presidential public financing system, and requires disclosure of funds transferred to a State or local political party. But let us be honest. This amendment would virtually turn over the campaign finance system to the wealthy and the special interests.

Mr. Chairman, in a recent survey, over 50 percent of Americans said they believe that Abraham Lincoln's revered formulation that our democracy is a government of, by and for the people no longer applies. Passing the Doolittle substitute will regrettably confirm this very cynical perception of public service and public servants.

It will take the passage of meaningful, comprehensive campaign finance reform, which is the Shays-Meehan bill, H.R. 417, to change the prevailing attitude.

Mr. Chairman, the key word here is comprehensive campaign finance reform. The Doolittle substitute, although it may be well-intended, is window dressing. It requires only limited disclosure rather than making the necessary changes to clean up the current system, namely, ending soft money and reining in sham issue ads.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Doolittle substitute and support final passage of the Shays-Meehan bill.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES), again, one of the leaders on campaign finance reform.

Mrs. JONES of Ohio. Mr. Chairman, I rise in opposition to the Doolittle substitute amendment, eliminating all Federal campaign contributions and public financing of presidential campaigns. In effect, the Doolittle amendment would be the kiss of death for H.R. 417, the Bipartisan Campaign Reform Act, because it guts the essence of the Shays-Meehan bill. Eliminating public financing of presidential campaigns in effect eliminates the ability of the little people to impact a presidential election at a time when voter apathy and participation is at an all-time low. Eliminating limits on contributions allows the haves to speak louder and places a gag on the have-nots. Eliminating campaign contribution limits will cause the House of Representatives to represent only the wealthy and leave the poor un- and underrepresented.

I urge my colleagues to vote ''no'' on this amendment. All the proposed reporting is only a smoke screen to cover this attempt to turn public office and public officeholders over to the wealthy.

Mr. DOOLITTLE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to support the Doolittle substitute. Thirteen States do not have limits, and I do not think you can name them because they do not stand out as States loaded with public corruption. Thirteen States do not limit campaign financing. We should be here debating increasing disclosure, immediate reporting and enforcement.

I have heard speaker after speaker talking about laws not being enforced. What about more laws without enforcement? Yet folks in this city have worked themselves into a state of hysteria over what they call campaign finance reform. This in spite of the fact that survey after survey show that most Americans rate campaign finance reform near the bottom of their concerns, if they rate it at all. Then why the hysteria?

The liberals' idea of reform rests primarily on restricting the free flow of moneys and ideas to the public through any channels except those they control and they regulate.

The refreshing motto of Fox Cable News network is ''We report and you decide.'' That is how elections ought to be. We report who helped us and you decide. By contrast, the motto of liberals and their media allies embodied in the Shays-Meehan bill seems to be, ''We report, we decide, and everyone else be quiet.''

It is a bedrock principle of American political heritage that money is speech. When the supporters of Shays-Meehan want to restrict and regulate the amount of money in campaigns, they want to restrict and regulate the amount of speech. They decide, not the voters. Even the American Civil Liberties Union has stated that the Shays-Meehan bill is patently unconstitutional and makes it harder for ethnic and racial minorities, women and nonmainstream voices to be heard prior to an election. It will be an incumbent protection bill.

I will give my colleagues an example from Pennsylvania when you do not have money to get the message out. In 1998, Governor Ridge was running for reelection, the senior Senator from Pennsylvania was running for reelection, and they both had strong bipartisan support. They both had three, four or five Democrat opponents in the primary but none of them could raise any money because of the strength of the incumbents. So when it came to the primary election in my district, Clarion and Elk County, because the message did not get out because the candidates did not have any money, 19 percent of the Democrats voted. In McKean County, 9 percent. In Jefferson County, 6 percent. Why? They did not know the candidates, they did not know about them, they did not know who to vote for, so they stayed home. If you want people to come out and vote, they have to understand what the candidates stand for and that is about free speech.

Mr. Chairman, I support the Doolittle reforms because they are in the American tradition. They truly ''do little'' when it comes to restricting first amendment rights. They remove the restrictions of most campaign giving and spending, and thus remove the restrictions to free speech. At the same time, they require immediate and full reporting of all contributions. Immediate and full reporting of all contributions. Shays-Meehan does not do that. The message that money buys then can reach more voters and the voters can judge for themselves the message and who is supporting it.

Like Fox News, the Doolittle approach says to voters, ''We report, you decide.'' If the liberal media is so concerned about how much campaigns cost today, then why do they not turn themselves into electronic Wal-Marts and charge the lowest prices for campaign ads? No, the highest. They are like an airline carrier charging hostage-level prices for tickets and complaining that people are spending too much money on transportation.

To add a little more perspective, during the Super Bowl the networks charge more for a single 30-second commercial than I have spent in two congressional elections, $1.6 million. Is anybody crying about that?

Liberals cry that too much money buys elections and corrupts the process. People need to understand the candidates and what they stand for. Thirty million Americans listen to network news regularly. One hundred million Americans elect our Presidents. In 1996, 76 million Americans voted for Congress. Only 30 million of those people watch the news regularly. Somehow, the message of our candidates has to get out to the people. It takes money. It takes a message. The people will buy when money is behind a message, because if the other were the case, we would have elected Huffington for the Senate because he certainly had the money, we would have elected Forbes and Perot for President because they had the money. It is the message that has to be driven by the money.

Certainly Eugene McCarthy would not have had a shot to run against Lyndon Johnson if Stuart Motts had not come to his aid because Lyndon Johnson had shut down his ability to raise money.

Yes, Mr. Chairman, when it comes to really eliminating corruption and creating a fairer, freer and more constitutional environment in American political life, I support Doolittle. We need to simplify the process, not turn it over to another government bureaucracy.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota (Mr. LUTHER).

□ 2015

Mr. LUTHER. Mr. Chairman, I rise in opposition to the Doolittle amendment. This amendment which allows unrestricted contributions in our federal political process shows just how out of touch Congress can become.

I challenge all Members of this body to go to any meeting in their district and ask their constituents how many can afford a $1,000 contribution. They will get virtually no one in that room, and they will get a lot of snickers from the people in that room.

Mr. Chairman, if Congress truly wants to reduce the influence of money in politics today, we should work to set up a system where more people can participate and give small amounts in the political process. We have done some of that at our State level in Minnesota, and other States have taken similar steps.

The absolute last thing we should do to get money out of politics is to allow a few interests to give even more money than they are giving today. The Doolittle amendment moves us in exactly the wrong direction. It gives us less democracy rather than more. Mr. Chairman, I urge its defeat.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BOEHLERT) who represents Cooperstown and the baseball Hall of Fame.

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to the Doolittle substitute, which is quite simply an effort to kill the Shays-Meehan bill. The Doolittle substitute not only would block any new efforts to reform campaign finance, it would actually repeal the few successful reforms that we passed in the 1970s.

The fundamentals of our democratic system are at risk, and this Congress must not be so complacent as to ignore the evidence that is all around us. Turn-out in elections is at an all time low. Polls show public confidence in government at record lows as well. As the Supreme Court has noted many times, democracy can thrive only if there is a marketplace of ideas, but it is not supposed to be a marketplace that belongs to the highest bidder.

By a marketplace of ideas our forefathers meant a place of fair, free, and open exchange. But in our time we have perverted that concept so that the marketplace of ideas has become commercial, a place where ideas triumph when they are backed by large sums of money.

The very way we talk about campaigns shows how far we have drifted from our Founding Fathers' ideas. Opponents of Shays-Meehan say that the system is not out of kilter because soft money amounts to only about 50 cents per voter. But that is an advertising concept, not a civic concept.

Mr. Chairman, I urge my colleagues to beware of sunshine patriots who come to the defense of the first amendment only when the free speech being defended comes with a price tag.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. BALDWIN), a truly outstanding member of the freshman class and a member of the Committee on the Judiciary.

Ms. BALDWIN. Mr. Chairman, we are living in a day and age when there is a tremendous amount of cynicism about electoral politics and involvement in democracy. The perception that candidates are being bought, that elections are more like auctions, has resulted in a widely held sentiment that a person's vote does not count any more. I believe that the Shays-Meehan bill is an important step in the right direction to regain the trust of the American people and to reclaim our democracy.

Mr. Chairman, the Shays-Meehan bill is the only comprehensive campaign finance reform package before us today. It bans all contributions of soft money and shines a spotlight on the way special interest groups have been able to influence the outcomes of elections.

The Doolittle substitute by contrast does nothing to limit contributions or to reign in sham issue advocacy ads.

By removing all contribution limits, the Doolittle substitute would allow individuals and PACs to make unlimited contributions to candidates and parties. I fear that alone would further erode the public confidence in our democratic process. But the substitute does more harm by failing to require disclosure of special interest money used in certain campaign ads. These ads have avoided disclosure requirements by posing as issue advocacy.

I believe that Americans have the right to know who is influencing the outcome of our elections.

Mr. DOOLITTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I am a cosponsor of the Doolittle bill and am proud to stand here in front of my colleagues in full support of that bill. I congratulate the gentleman from California (Mr. DOOLITTLE) for bringing forward this bill, and I thank him for yielding me time.

Campaign finance is like so many other issues. There are two basic philosophies. Free speech and free market is one philosophy; increasing the size of the Federal Government with more restrictive regulations is the other philosophy. Mr. Chairman, I stand before our colleagues in favor of free speech. Over time, a big-government approach has choked our campaigns. Regulation without provision for inflation has dwindled the real value of contributions to just 30 percent of what it was when enacted. Indeed, Mr. Chairman, these strangling limits may be what led the Democrats into all of their campaign finance irregularities.

Let us pass the Doolittle substitute. Let us free up political speech as America's founders intended, in the tradition of Thomas Payne, the publisher of free political speech in that famous document, Common Sense, that enabled the creation of this great Nation.

Mr. Chairman, I urge support of the Doolittle substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE), a distinguished political scientist who has probably studied elections as much as any of us on the floor.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we have an opportunity today to take a serious step toward cleaning up elections financially and otherwise. The Shays-Meehan bill closes the soft money loophole that has made a mockery of the existing contribution limits. It holds advocacy groups accountable for the money they raise and spend in campaigns. It strengthens enforcement. And it includes a variant of my stand-by-your-ad bill to make candidates and committees more accountable for the ads they run.

Stand-by-your-ad was first introduced by the gentleman from California (Mr. HORN) and myself 2 years ago. It is a good North Carolina idea originated by Lieutenant Governor Dennis Wicker, recently passed by our General Assembly and signed into law. It will make candidates think twice before running mud-slinging or distorted

ads, for the sponsoring candidate will have to appear in that ad and take responsibility for it.

Shays-Meehan is legislation we should have passed months ago, but I am pleased that this bill is finally on the House floor. Many of us wish the bill did more, but it is a compromise worthy of our support.

I urge defeat of all substitutes and passage of the Bipartisan Campaign Reform Act.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has shown exemplary demeanor all day today.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding this time to me, and as the gentleman from Pennsylvania (Mr. PETERSON) was speaking, I, for one, thought how good it was to have him come back after his surgery but how I disagreed with him on his basic point. The bottom line is this bill eliminates soft money, the unregulated money from individuals, corporations, labor unions, and other interest groups. It calls the sham issue ads what they are, campaign ads, which means to run them free speech, but have to have disclosure, and that is something that is not in the substitute offered by the gentleman from California (Mr. DOOLITTLE). He does not want the sham issue ads to be disclosed even though he says he is for disclosure.

Mr. Chairman, the third thing it does is we require immediate disclosure on the Internet of expenditures, and we provide for stronger FEC enforcement; and then anything we have not dealt with in our bill, we deal with in the commission bill.

It has been against the law since 1907 for corporations to contribute to campaigns. It has been against the law since 1947 for union dues money to be used in campaigns. It has been against the law since 1974 for foreign countries to contribute to our campaigns. But all three take place, and they take place through the absurdity of soft money and these sham issue ads.

Mr. Chairman, I believe that dirty disclosed money beats no money any day, and what we do is we provide for disclosure, and we provide for an even field for all who wish to participate in the political process.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I would like to thank the gentleman from Massachusetts for yielding this time to me.

This legislation that is considered in the House of Representatives on September 14, 1999, in my opinion is the most important legislation that we take up in this session. It goes to the heart of the political process in America, the integrity of our electoral process.

All of us know the level of cynicism that exists in our communities regarding politics in America. I believe that all of us have a commitment to try to clean this up. Unfortunately, strong differences of opinion have frustrated these efforts over the last 10 years. Numerous bills have come up. They have been subject to filibusters, to vetoes, to deadlocks, and the inability that we have had between Congress and the White House to agree on how to proceed.

This fall we have an opportunity to agree. We have an opportunity to pass legislation in the House, the Senate, send it to the White House for signature. We cannot let amendments like the one that is under consideration undermine this effort.

Mr. WAMP. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Tennessee has 1 minute remaining.

Mr. WAMP. Mr. Chairman, I just would like to say that this substitute is an honest effort, frankly, to address this issue because it is intellectually pure and ideologically doable, and I applaud the gentleman from California (Mr. DOOLITTLE). Unlike the third substitute amendment which we will consider tonight, the Thomas substitute, which is really not about campaign finance reform, it is about campaign reform and FEC reform and technical corrections, and we tried to make an amendment to the underlying bill instead of a freestanding substitute. This substitute and the Hutchinson substitute are good efforts to look at the alternatives that we have before us.

But this is not an ideologically perfect situation because I do not think the American people would allow us to go back to the way things were a long, long time ago with unlimited contributions. I understand full disclosure would be there and the American people could go out and elect folks, but in this day of money and power and influence and the entertainment industry really having such an impact on people and television being such a powerful medium, I think the people expect us to try our best to fix the current system.

Mr. Chairman, that is what Shays-Meehan does, and I support it and not the substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I rise today in opposition to the substitute amendment, in strong support for the Shays-Meehan bipartisan campaign finance reform act.

An editorial in one of today's newspapers in my home State of Tennessee says it is hard to overestimate the importance of this vote for rebuilding public trust in the American electoral system. Congress has debated campaign finance reform since 1985, and in the meantime the public has only grown more disenchanted with our political process. Americans want their elected representatives to act in their best interests, not in the interest of the privileged few.

☐ 2030

Americans want their representatives to be chosen not based on the richness of their pocketbook but the richness of their character and message. In short, they want a government of the people, by the people, for the people. Let us have the courage to give them what they want, not because it will benefit their fund-raising coffers but because they deserve nothing less. Vote no on the substitute amendment and support real campaign finance reform.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 1½ minutes.

Mr. MEEHAN. Mr. Chairman, in many ways, the debate on this substitute is a debate that I think crystallizes the differences of opinion of what we are doing. Many of the substitutes and many of the amendments are really designed to cloud the issue, are really designed to fool the public. That is not the case with this substitute. This is a case of a difference of opinion.

The gentleman from California (Mr. DOOLITTLE), and I respect his honesty, would like to repeal all contribution limits. He wants to end the presidential system of public financing, which is an incentive to get the presidential candidates to limit how much money they spend. Yes, in fact, I think this amendment crystallizes the difference between those who think we should have more money in the election process in this country and those of us who believe we should try to lessen the influence of money in American politics.

I have to say, I think the American people are with those of us who want to lessen the influence. Two out of three Americans think that money has an excessive influence on elections and government policy. According to the Committee of Economic Development, a group of CEOs, two-thirds of the public think that their own representative in Congress would listen to the views of outsiders who made large political contributions before a constituent's views, and 92 percent of the people think that too much money is being spent on political campaigns in our country.

So this is a clear choice. Whether one wants to have more money spent, more wealthy individuals spending unlimited amounts of money so that somehow elections become we are going to compete with soap suds or Coca Cola or Pepsi, or whether or not we are going to reform this system, let us defeat this substitute and pass Shays-Meehan tonight.

Mr. DOOLITTLE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlemen from California (Mr. DOOLITTLE) is recognized for 5½ minutes.

Mr. DOOLITTLE. Mr. Chairman, I hate to talk about myself as an example but I think I will, just to illustrate

the point of view that I have about this. I could talk about Eugene McCarthy, the Senator who was able to run for President, was not subject to this because this law did not exist in those days. I think he said he raised a million dollars from ten people. It was enough money to basically successfully move out of the presidential race the incumbent President Lyndon Johnson. He definitely made a huge impact on the affairs of the Nation by the step that he took. I think many, looking back, would view what he did as a positive step for the Nation.

I could talk about Senator James Buckley who has authored an excellent article, and it is interesting because this is the plaintiff in the famous Buckley versus Valeo case, who is now a senior judge with the U.S. Circuit Court of Appeals for the District of Columbia. If I have time, I will quote from this article, but it is in the current issue of National Review. September 27 is the date; great article. It is an interesting perspective by the author.

Let me just talk about why I am so opposed to the other approach, the big government one, the increased regulatory approach, which I submit has never worked and cannot work and will not work, which I also submit is largely unconstitutional and would be struck down by the Supreme Court under the precedents that have been set, but even beyond that is highly undesirable because it is going to have the effect of curtailing political speech before elections, which is just when we want to have all the information and speech that we can get.

Yes, people are cynical, I acknowledge that as well, but unfortunately this sort of failed approach piling on more of the same old failing approaches is not going to relieve the cynicism.

The Washington Times correctly refers to this as a campaign finance charade; and unfortunately, I believe that is correct.

Let me just go to my own case. When I ran for office in 1980, no one had ever heard of me. I had never held any political office of any kind, but I cared about crime and education and taxes and I ran and I was able to get support from a relative handful of people that were willing to put in substantial amounts of money just like they did for Senator McCarthy.

Had I been forced to run under the present laws we have today, I would never have been successful; I could not have been because when one does not have any name ID or any notoriety, one cannot get lots of contributions from the general electorate just by sending out a mailing. Nobody has ever heard of his name. So one needs the ability, as a challenger, to be able to go and raise seed money. It is not because money buys elections. Money does not buy elections. That has been demonstrated time and time again. The gentleman from Pennsylvania (Mr. PETERSON) very accurately stated the realities there.

However, one can never win an election without money. Money is what gives one the opportunity to present their views to the electorate.

I just think the arguments are so circuitous; it is like black is white and white is black when I listen to this debate.

I am taking the position I am taking because I want the average person to be able to run for office. The wealthy can already run for office. In fact, they are the only ones in the whole country that have no spending limit under the present law. They can spend whatever they choose to get elected. It is only the rest of us that are limited in terms of the contributions that we can receive.

Existing government regulation of campaigns is poisoning our system, and yet despite that fact, despite the fact that soft money is a symptom of the problem, it is not the problem, it is being treated as the problem.

What happens with a patient? I am not a doctor but I have been sick and we all know people who have been. What happens when the doctors treat the symptom rather than the problem? The patient is not cured.

This problem has been misdiagnosed for 25 years. We have been piling on more and more and more regulations. It is like the doctor that gives a prescription and the patient is still sick so he doubles the dosage. The patient comes back sicker yet. He doubles it again.

Voter participation has continued to decline coincidentally, though not a coincidence in my view, with the enactment of the 1974 amendments to the Federal Election Campaign Act, the very law that we are faced with today.

The more we pile on regulation, the more we discourage people from participating; the more we reward the wealthy and those who have notoriety. What is the matter with a person of average means being able to run for office and going and getting some other people who have greater means to back him, or back her, and get those views out?

Money does not buy the elections but money is the means of communicating the views to the electorate and then the electorate can decide. I ask for an ''aye'' vote.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND) to close on our side.

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

Mr. KIND. I thank my friend, the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute and in strong support of the Shays-Meehan bill. I think there is just a fundamental difference between these two different bills. If my colleagues believe there is too much money in the political system, then support Shays-Meehan. If my colleagues believe there is too much influence of money in the political process, then support Shays-Meehan.

The difference between the two is very simple. Rather than take a step to contain the big dollar contributions to the political parties, Doolittle would blow the lid off current contribution limits. Instead of reducing the influence of special interest money, the Doolittle substitute would start a bidding war.

Shays-Meehan, on the other hand, would eliminate the biggest of the big money contributions to the political process, the unregulated soft money contributions.

This chart demonstrates the trend of soft money contributions during presidential election years. In 1988, it was roughly $45 million; but then it escalates every presidential year after this. In 1992, $86 million; 1996, $262 million; and if current projections of the first 6 months of this year hold true, we are looking at between $500 million to $750 million in soft money contributions in this next election cycle.

The people across the country see what is happening. They may not understand the nuances of current campaign finance rules, but they do understand that there is too much money in the political system and that money translates into access and influence.

What is funny about today's debate is some of the CEOs who are making these large soft money contributions are also saying that the system is broken and needs fixing. In fact, a business group called the Committee for Economic Development recently endorsed campaign finance reform. The chairman of that committee calls the current system a ''shakedown'' and business executives have no choice but to ''play by the rules of the game.''

It is time to rewrite the rules of that game and eliminate soft money contributions. So I urge my colleagues to reject this ''show-me-the-money'' substitute bill that is being offered and instead support true comprehensive campaign finance reform, the Shays-Meehan bill.

This vote is long overdue. For almost three years we have heard about the abuses in the campaign finance system. We have heard from our constituents that they feel their voice has been drowned out by the big money special interests who push their own agenda. We have heard a lot of rhetoric from leaders in Washington who say they want to clean up our elections yet have failed to allow a vote on changing the system until now, when it is too late to affect this year's elections.

There are many members of this body who are committed to reform of our broken campaign finance system. I applaud the efforts of my friends Congressmen SHAYS and MEEHAN for their courageous leadership on this issue. The Shays-Meehan bill will take the biggest money out of the political process and bring some control to the independent expenditures that have come to dominate our elections. It is a good first step to fix a problem that has no simple solution.

I had worked in the last session of Congress with a bipartisan coalition of freshman members of Congress to craft our own campaign finance reform bill. That bill is a substitute bill being considered today. I will not support that bill this year because it is more narrow in focus, although it still gets at the most common abuses in the campaign system without a constitutional threat. Since Shays-Meehan passed the last session of Congress, and because it is more comprehensive, I will continue my support for it.

Both the Shays-Meehan substitute and the Hutchinson substitute are honest, bipartisan attempts to fix our broken election process. I believe that this House works best when we work in a bipartisan manner, and that is how both these bills were created. However, because only one bill can advance today, given the current rules of debate, that bill should be Shays-Meehan.

Ultimately this debate boils down to the belief that there is too much money in campaigns. If you support that idea, as I do and most constituents I talk to in western Wisconsin do, then you support campaign finance reform. If you believe that we need more money in the system then you will oppose Shays-Meehan.

The majority of the public doesn't believe that Congress has the courage to change a system that appears to benefit our own interests. Today we have the opportunity to show the public that we can take the big money out of this system and put elections back into the hands of the people we are sworn to represent. It's time to reduce the cynicism in our political process and increase the credibility of this democratic institution. Support the Shays-Meehan campaign reform bill.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DOOLITTLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 117, noes 306, not voting 10, as follows:

[Roll No. 419]

AYES—117

Armey	Cooksey	Hobson
Ballenger	Cox	Hoekstra
Barr	Crane	Hostettler
Barton	Cubin	Hunter
Bateman	Cunningham	Jenkins
Biggert	DeLay	Johnson, Sam
Bilirakis	Dickey	Jones (NC)
Bliley	Doolittle	Kasich
Blunt	Dreier	King (NY)
Boehner	Dunn	Knollenberg
Bonilla	Ehrlich	Kolbe
Brady (TX)	Everett	Largent
Bryant	Fossella	Latham
Burr	Fowler	Lewis (KY)
Burton	Gekas	Linder
Buyer	Gibbons	Lucas (OK)
Callahan	Goodlatte	McCrery
Calvert	Goss	McInnis
Camp	Gutknecht	McIntosh
Cannon	Hall (TX)	McKeon
Chambliss	Hansen	Miller (FL)
Chenoweth	Hastings (WA)	Miller, Gary
Coble	Hayes	Nethercutt
Coburn	Hayworth	Norwood
Collins	Hefley	Oxley
Combest	Herger	Packard
Paul	Scarborough	Tancredo
Pease	Schaffer	Tauzin
Peterson (PA)	Sessions	Taylor (NC)
Pickering	Shadegg	Thomas
Pitts	Shimkus	Thornberry
Pombo	Shuster	Tiahrt
Radanovich	Simpson	Toomey
Riley	Skeen	Traficant
Rogan	Smith (TX)	Watkins
Rogers	Spence	Weldon (FL)
Rohrabacher	Stump	Whitfield
Ryun (KS)	Sununu	Wicker
Salmon	Sweeney	Young (AK)

NOES—306

Abercrombie	Farr	Maloney (CT)
Ackerman	Fattah	Maloney (NY)
Aderholt	Filner	Manzullo
Allen	Fletcher	Markey
Andrews	Foley	Mascara
Archer	Forbes	Matsui
Bachus	Ford	McCarthy (MO)
Baird	Frank (MA)	McCarthy (NY)
Baker	Franks (NJ)	McCollum
Baldacci	Frelinghuysen	McDermott
Baldwin	Frost	McGovern
Barcia	Gallegly	McHugh
Barrett (NE)	Ganske	McIntyre
Barrett (WI)	Gejdenson	McKinney
Bartlett	Gephardt	McNulty
Bass	Gilchrest	Meehan
Becerra	Gillmor	Meek (FL)
Bentsen	Gilman	Meeks (NY)
Bereuter	Gonzalez	Menendez
Berkley	Goode	Metcalf
Berman	Goodling	Mica
Berry	Gordon	Millender-McDonald
Bilbray	Graham	Miller, George
Bishop	Granger	Minge
Blagojevich	Green (TX)	Mink
Blumenauer	Green (WI)	Moakley
Boehlert	Greenwood	Mollohan
Bonior	Gutierrez	Moore
Bono	Hall (OH)	Moran (KS)
Borski	Hill (IN)	Moran (VA)
Boswell	Hill (MT)	Morella
Boucher	Hilleary	Murtha
Boyd	Hilliard	Myrick
Brady (PA)	Hinchey	Nadler
Brown (FL)	Hinojosa	Napolitano
Brown (OH)	Hoeffel	Neal
Campbell	Holden	Ney
Canady	Holt	Northup
Capps	Hooley	Nussle
Capuano	Horn	Oberstar
Cardin	Houghton	Obey
Carson	Hoyer	Olver
Castle	Hulshof	Ortiz
Chabot	Hutchinson	Ose
Clay	Hyde	Owens
Clayton	Inslee	Pallone
Clement	Isakson	Pascrell
Clyburn	Istook	Pastor
Condit	Jackson (IL)	Payne
Conyers	Jackson-Lee (TX)	Pelosi
Cook	Jefferson	Peterson (MN)
Costello	John	Petri
Coyne	Johnson (CT)	Phelps
Cramer	Johnson, E. B.	Pickett
Crowley	Jones (OH)	Pomeroy
Cummings	Kanjorski	Porter
Danner	Kaptur	Portman
Davis (FL)	Kelly	Price (NC)
Davis (IL)	Kennedy	Quinn
Davis (VA)	Kildee	Rahall
Deal	Kilpatrick	Ramstad
DeFazio	Kind (WI)	Rangel
DeGette	Kleczka	Regula
Delahunt	Klink	Reyes
DeLauro	Kucinich	Reynolds
DeMint	Kuykendall	Rivers
Deutsch	LaFalce	Rodriguez
Diaz-Balart	LaHood	Roemer
Dicks	Lampson	Rothman
Dingell	Lantos	Roukema
Dixon	Larson	Roybal-Allard
Doggett	LaTourette	Royce
Dooley	Lazio	Rush
Doyle	Leach	Ryan (WI)
Duncan	Lee	Sabo
Edwards	Levin	Sanchez
Ehlers	Lewis (GA)	Sanders
Emerson	Lipinski	Sandlin
Engel	LoBiondo	Sanford
English	Lofgren	Sawyer
Eshoo	Lowey	Saxton
Etheridge	Lucas (KY)	Schakowsky
Evans	Luther	Scott
Ewing	Sensenbrenner	Stupak
Serrano	Talent	Walden
Shays	Tanner	Walsh
Sherman	Tauscher	Wamp
Sherwood	Taylor (MS)	Waters
Shows	Terry	Watt (NC)
Sisisky	Thompson (CA)	Watts (OK)
Skelton	Thompson (MS)	Waxman
Smith (MI)	Thune	Weiner
Smith (NJ)	Thurman	Weldon (PA)
Smith (WA)	Tierney	Weller
Snyder	Towns	Wexler
Souder	Turner	Weygand
Spratt	Udall (CO)	Wilson
Stabenow	Udall (NM)	Wise
Stark	Upton	Wolf
Stearns	Velazquez	Woolsey
Stenholm	Vento	Wu
Strickland	Vitter	Wynn

NOT VOTING—10

Hastings (FL)	Pryce (OH)	Visclosky
Kingston	Ros-Lehtinen	Young (FL)
Lewis (CA)	Shaw	
Martinez	Slaughter	

☐ 2104

Mr. GRAHAM changed his vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 419, I was unavoidably detained on official business. Had I been present, I would have voted ''no.''

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 106–311.

AMENDMENT NO. 12 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 12 in the nature of a substitute offered by Mr. HUTCHINSON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Campaign Integrity Act of 1999''.

TITLE I—SOFT MONEY AND CONTRIBUTIONS AND EXPENDITURES OF POLITICAL PARTIES

SEC. 101. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''BAN ON USE OF SOFT MONEY BY NATIONAL POLITICAL PARTIES AND CANDIDATES

''SEC. 323. (a) NATIONAL PARTIES.—A national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees, may not solicit, receive, or direct any contributions, donations, or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act. This subsection shall apply to any entity that is established, financed, maintained, or controlled (directly or indirectly) by, or acting on behalf of, a national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees.

''(b) CANDIDATES.—

''(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such candidate or officeholder may solicit, receive, or direct—

''(A) any funds in connection with any Federal election unless such funds are subject to the limitations, prohibitions and reporting requirements of this Act;

''(B) any funds that are to be expended in connection with any election for other than a Federal office unless such funds are not in excess of the amounts permitted with respect to contributions to Federal candidates and political committees under section 315(a)(1) and (2), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

''(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

''(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

''(A) the solicitation or receipt of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

''(B) the attendance by an individual who holds Federal office or is a candidate for election for Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents or seeks to represent as a Federal officeholder, if the event is held in such State.

''(c) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.''.

SEC. 102. INCREASE IN AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS TO POLITICAL PARTIES.

(a) IN GENERAL.—The first sentence of section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''in any calendar year'' and inserting the following: ''to political committees of political parties, or contributions aggregating more than $25,000 to any other persons, in any calendar year''.

(b) CONFORMING AMENDMENT.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking ''$20,000'' and inserting ''$25,000''.

SEC. 103. REPEAL OF LIMITATIONS ON AMOUNT OF COORDINATED EXPENDITURES BY POLITICAL PARTIES.

(a) IN GENERAL.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by striking paragraphs (2) and (3).

(b) CONFORMING AMENDMENTS.—Section 315(d)(1) of such Act (2 U.S.C. 441a(d)(1)) is amended—

(1) by striking ''(d)(1)'' and inserting ''(d)''; and

(2) by striking '', subject to the limitations contained in paragraphs (2) and (3) of this subsection''.

SEC. 104. INCREASE IN LIMIT ON CONTRIBUTIONS BY MULTICANDIDATE POLITICAL COMMITTEES TO NATIONAL POLITICAL PARTIES.

Section 315(a)(2)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$20,000''.

TITLE II—INDEXING CONTRIBUTION LIMITS

SEC. 201. INDEXING CONTRIBUTION LIMITS.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

''(3)(A) The amount of each limitation established under subsection (a) shall be adjusted as follows:

''(i) For calendar year 2001, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in subsection (c)(2)) for each of the years 1999 through 2000.

''(ii) For calendar year 2005 and each fourth subsequent year, each such amount shall be equal to the amount for the fourth previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for each of the four previous years.

''(B) In the case of any amount adjusted under this subparagraph which is not a multiple of $100, the amount shall be rounded to the nearest multiple of $100.''.

TITLE III—EXPANDING DISCLOSURE OF CAMPAIGN FINANCE INFORMATION

SEC. 301. DISCLOSURE OF CERTAIN COMMUNICATIONS.

(a) IN GENERAL.—Any person who expends an aggregate amount of funds during a calendar year in excess of $25,000 for communications described in subsection (b) relating to a single candidate for election for Federal office (or an aggregate amount of funds during a calendar year in excess of $100,000 for all such communications relating to all such candidates) shall file a report describing the amount expended for such communications, together with the person's address and phone number (or, if appropriate, the address and phone number of the person's principal officer).

(b) COMMUNICATIONS DESCRIBED.—A communication described in this subsection is any communication which is broadcast to the general public through radio or television and which mentions or includes (by name, representation, or likeness) any candidate for election for Senator or for Representative in (or Delegate or Resident Commissioner to) the Congress, other than any communication which would be described in clause (i), (iii), or (v) of section 301(9)(B) of the Federal Election Campaign Act of 1971 if the payment were an expenditure under such section.

(c) DEADLINE FOR FILING.—A person shall file a report required under subsection (a) not later than 7 days after the person first expends the applicable amount of funds described in such subsection, except that in the case of a person who first expends such an amount within 10 days of an election, the report shall be filed not later than 24 hours after the person first expends such amount. For purposes of the previous sentence, the term ''election'' shall have the meaning given such term in section 301(1) of the Federal Election Campaign Act of 1971.

(d) PLACE OF SUBMISSION.—Reports required under subsection (a) shall be submitted—

(1) to the Clerk of the House of Representatives, in the case of a communication involving a candidate for election for Representative in (or Delegate or Resident Commissioner to) the Congress; and

(2) to the Secretary of the Senate, in the case of a communication involving a candidate for election for Senator.

(e) PENALTIES.—Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this section,

shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.

SEC. 302. REQUIRING MONTHLY FILING OF REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—Section 304(a)(2)(A)(iii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)(iii)) is amended to read as follows:

''(iii) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (i), a post-general election report shall be filed in accordance with clause (ii), and a year end report shall be filed no later than January 31 of the following calendar year.''.

(b) OTHER POLITICAL COMMITTEES.—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended to read as follows:

''(4)(A) In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate shall file—

''(i) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (ii), a post-general election report shall be filed in accordance with clause (iii), and a year end report shall be filed no later than January 31 of the following calendar year;

''(ii) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; and

''(iii) a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

''(B) In any other calendar year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.''.

(c) CONFORMING AMENDMENTS.—(1) Section 304(a) of such Act (2 U.S.C. 434(a)) is amended by striking paragraph (8).

(2) Section 309(b) of such Act (2 U.S.C. 437g(b)) is amended by striking ''for the calendar quarter'' and inserting ''for the month''.

SEC. 303. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS.

(a) IN GENERAL.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that the Commission shall require the reports to be filed and preserved by such means, format, or method, unless the aggregate amount of contributions or expenditures (as the case may be) reported by the committee in all reports filed with respect to the election involved (taking into account the period covered by the report) is less than $50,000.''.

(b) PROVIDING STANDARDIZED SOFTWARE PACKAGE.—Section 304(a)(11) of such Act (2 U.S.C. 434(a)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) The Commission shall make available without charge a standardized package of software to enable persons filing reports by electronic means to meet the requirements of this paragraph.''.

SEC. 304. WAIVER OF "BEST EFFORTS" EXCEPTION FOR INFORMATION ON OCCUPATION OF INDIVIDUAL CONTRIBUTORS.

Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking ''(i) When the treasurer'' and inserting ''(i)(1) Except as provided in paragraph (2), when the treasurer''; and

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

''(2) Paragraph (1) shall not apply with respect to information regarding the occupation or the name of the employer of any individual who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply with respect to elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Arkansas (Mr. HUTCHINSON) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. DAVIS of Florida. Mr. Chairman, I rise to ask to control the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 20 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be allowed to control 7 minutes of my time, and the gentleman from Massachusetts (Mr. MEEHAN) be allowed to control an additional 7 minutes of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HUTCHINSON. Mr. Chairman, I yield myself such time as I may consume.

I want to extend to my colleagues, Mr. Chairman, congratulations on the manner in which this debate is being conducted. I see people engaged in this debate who are extremely passionate about their views, about their philosophy. I believe there is a great deal of sincerity in this Chamber, and there are a lot of different viewpoints that are expressed. I believe my colleagues on both sides of the aisle have engaged in this debate in a good-faith fashion, caring about this issue.

We have been here before. We look back in the last Congress, and we all engaged in this debate. Some of us look around and say, it is not as exciting this time. There is some truth to that, because some of us have looked ahead and we sort of anticipate as to where this is going.

I want to call this Chamber back to a moment of seriousness and reflection on the importance of what we are doing. Looking back to when I first came to Congress, I came with some of the most exciting group of freshmen that I have ever been associated with. It was during those early days when we were meeting as a freshman class, the Democrats and Republicans, and we said, what can we work together on?

I look over to my good friend, the gentleman from Florida (Mr. DAVIS), and we all said, there are some things we can do. We looked at campaign finance reform. The Democrats said, let us get six Democrats, let us get six Republican freshmen together, and let us go to work as a task force and see what good we can do. It has been the most exciting and rewarding endeavor that I have been engaged in.

I look back on that with great fondness, because we heard from the constitutional experts, we heard from people who are affected by it, the candidates, the political leaders. We said, we have got to do some things that have not been done before. The problem in this Congress is that we have always looked to the extremes. We have always gone directions in which we could not go to the common ground, and nothing passed. Let us do something different.

So we adopted a couple of principles. One of them is that we should avoid the extremes when we deal with this issue. Secondly, we should be realistic, what can really get passed; not what is ideal, what is perfect, not what we can do, but what we can do together, and to be realistic? The third principle is, let us follow the Constitution.

So taking those three simple principles, we drafted a bill. It is not something that the gentleman from Florida (Mr. DAVIS) wanted, it is not something I wanted, it is not something my good friend, the gentleman from Maine (Mr. ALLEN) wanted. It is something that we wanted together, because we wanted it to pass and become a reality.

So we came up with a simple bill, and simple bills are always dangerous. When we presented this, immediately we were greeted with, well, you all just got here and you do not understand how this system works. That will never work. Both the Democrat leadership and the Republican leadership were concerned about it. The Senate was concerned about it, because they saw our bill as something that was unique, that had never been tried before, that was common ground, something that could actually pass.

So we adopted a simple bill. There are three key elements to this substitute that is being considered today. One is stopping the soft money game. It bans the soft money to the Federal parties. Secondly, it strengthens the role of the individuals and the parties by indexing the contribution limits to inflation, so we empower individuals more, and we make their contribution more meaningful in the political process.

Thirdly, we increase information to the public, so they will know more information more timely about who contributes to the political process. Three key elements: It meets the constitutional standard, it is realistic, it avoids the extremes.

This year we came back for it. Some of my Democrat colleagues, who I still appreciate the way they engaged in this enterprise with us, but they said that they would prefer the Shays-Meehan. In my judgment, they just simply drifted back a little bit to what was the extreme, that which has been tried before and which could not pass before.

I admire them for their commitment to that philosophy, but the fact is, we are still here, we are still debating the same subject, and we still have the same needs to be realistic, to avoid the extremes, and to be constitutional.

So as I met with the gentleman from Missouri (Mr. HULSHOF), the gentleman from Montana (Mr. HILL), the gentleman from Texas (Mr. BRADY), the gentleman from Kansas (Mr. MORAN). We said, what shall we introduce this year? We all looked at it and said, we cannot get a better product. We worked at it, and we cannot get a better product. We said, we can tinker with it here, we can make it something more to our liking. We said, no, we cannot get a better product.

We introduced this year the exact same bill that my freshmen colleagues on the Democrat side supported in the last Congress. So here we are again, and we are presenting it. We are asking for the Members' support for this substitute. We believe it is a good reform, constitutional, and realistic.

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

Mr. MEEHAN. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL), one of the outstanding leaders of the freshman class of the last Congress.

Mr. PASCRELL. Mr. Chairman, as a freshman lawmaker in the 105th Congress, I joined a bipartisan coalition of fellow freshmen in crafting legislation that would reform our fatally flawed campaign finance system. I am proud to say that we were able to bridge the partisan gap that too often pervades our debate over legitimate public policy. We crafted a bill that Members on both sides of the aisle could support.

Our freshmen task force, remember what it was called, literally drove the debate when it seemed dead, and later joined the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) to defeat a number of poison pill amendments that would have killed any chance of comprehensive reform.

My friends, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Virginia (Mr. ALLEN), were effective voices during the debate last year. The bill our coalition supported is and was a good bill. It drove the debate.

As I voted against my own bill last year, I plan to vote against the Hutchinson substitute today, not because it is not an improvement over our current system, but because we are offered an opportunity for what I believe is a better bill, a bill that would not be voted on this evening if it were not for the courage of both the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN), and those who believe in productive change.

Mr. Chairman, we must again pass Shays-Meehan and send a message to the American people that a bipartisan coalition in this body shares the same view of 90 percent of Americans. Ninety percent of Americans believe in this view. Our current campaign finance system needs real reform. It is time to stop making money the deciding factor in American politics and to restore power to where it belongs, with the American voter.

We have all of us here helped to disenfranchise the average voter, making him or her feel helpless to have an impact on the American governmental system.

□ 2115

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN) who has been extraordinarily instrumental in pushing this bill forward in support of campaign finance reform.

Mr. MORAN of Kansas. Mr. Chairman, I just finished hosting 66 town hall meetings across the 66 counties of the First District of Kansas during the August recess; and my constituents, like the rest of the country, feel alienated from government and from politics.

The conventional wisdom that the ordinary citizen no longer has a say in our government is growing and that their voices are drowned out by a sea of special interests and campaign contributors is prevalent. Unfortunately, their concerns are often justified.

I rise this evening in support of the Campaign Integrity Act and want to thank the gentleman from Arkansas (Mr. HUTCHINSON) for his hard work in bringing this legislation before this session of Congress. Ever since we were elected in 1996, the gentleman from Arkansas (Mr. HUTCHINSON) has worked to achieve a bipartisan solution to improve our campaign finance laws. I support this legislation because it represents real reform, it is constitutional, and it is our best chance in passing legislation this year to help restore public faith in our system of campaigns and elections.

By banning so-called soft money at the Federal level this bill closes the biggest loophole in our current finance system. Soft money contributions effectively shred the contribution limits in our current campaign finance law. As long as we allow special interests to contribute millions from soft money outside the regulated campaign finance system, the public will remain skeptical about the integrity of our system.

This legislation also improves the disclosure requirements for candidates running for federal office. It would provide more detailed information regarding the origin of campaign contributions and the time in which they need to be reported. It also calls for electronic disclosure to allow voters more timely access to campaign information.

Finally, this bill improves disclosure requirements for third party groups and lobbying organizations which run television and radio advertisements. Unlike other campaign reform proposals, this bill does not seek to restrict or regulate free speech of outside groups. It only seeks to inform the public about who is running the ads. Organizations that stand by their messages and by their missions have nothing to fear from this legislation.

As students return to the classroom this fall in high schools and colleges across the country, they will be taught the virtues of political democracy. Those students cannot help but be skeptical of a system that is perceived and perhaps in reality is driven by dollars rather than people. They need to know that their voice matters. They need to know that this still is their government. This legislation provides a common-sense evenhanded approach to help restore the faith in our American political process.

Mr. Chairman, I urge the adoption of the Hutchinson substitute.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Chairman, I stand in admiration of the gentleman from Kansas (Mr. MORAN), who just spoke, for doing 66 town hall meetings. I think he deserves the iron man award. But I must disagree with him.

I rise in support of truth in advertising, in support of Shays-Meehan and in opposition to this amendment in the nature of a substitute. This substitute does not address a fundamental problem, and that is sham issue ads.

The Hutchinson substitute requires disclosure of expenditures that exceed $25,000 per candidate or $100,000 per multiple candidates. The Shays-Meehan bill strengthens the definition of express advocacy to include any communication that contains unambiguous and unmistakable support for or opposition to a clearly identified Federal candidate and requires disclosure of the expenditure that exceeds $1,000 within 20 days of election or those aggregating $10,000 at any time leading up to 20 days before the election.

I fully support organizations to make their positions known and to report on the voting record of elected officials, but I do not support organizations that hide behind this right to advocate the election or defeat of particular candidates.

Shays-Meehan does not take away the rights of organizations to express their views. It does require them, when advocating the election or defeat of a specific candidate, to play by the same rules as official campaigns. The Hutchinson substitute does not do this.

I urge my colleagues to vote against the substitute and for real campaign finance reform. Vote ''no'' on the Hutchinson substitute and vote ''yes'' for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN).

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

Mr. CARDIN. Mr. Chairman, let me thank the gentleman from Florida (Mr. DAVIS) for yielding me this time.

Mr. Chairman, I have listened to the debate. I have listened to each of my colleagues address the various amendments and now the substitutes. I think there is broad consensus that we need to reform our current campaign finance system.

Let me just give my colleagues my short list of the problems. We spend too much time raising money. We spend too much money in campaigns. We spend too much unreported money in campaigns. There are too many loopholes in the system. It is corrupting the system, and we are losing more and more public confidence that our system is truly objective.

Now, each one of us could craft what we think is the perfect bill. Each one of us could develop what we think would be the answer. But if we are going to be able to accomplish campaign finance reform, I agree with the author of this substitute.

We need to support the campaign finance reform that has the only chance of being enacted this year and that is the Shays-Meehan bill. This is the bill that the public understands and supports. I believe each of us understands that if we had any chance to pass campaign finance reform this year, we need to support the Shays-Meehan bill. It is a comprehensive bill that deals with the under-regulated soft money. Each of us understands why we need to deal with that.

In a letter written to our Speaker just recently by business leaders, they

indicated that soft money distorts the process. It is more than doubling every 2 years the amount of money being spent on soft money. We need to do something about it. It is out of control. We need to close the loophole on so-called issue advocacy expenditures. We know that is wrong. We need to improve the Federal disclosure laws.

So if my colleagues are for comprehensive campaign finance reform, they really have only one choice, and that choice is to defeat the substitutes and support Shays-Meehan. If we do that, we have our best chance this year of listening to our constituents and doing something about the system to make it work for public confidence.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Montana (Mr. HILL) who has been an extraordinary leader in this effort, but most important, he has been a former State party chairman and has a great deal of expertise.

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman from Arkansas for yielding me this time.

Mr. Chairman, the American people do not believe that Congress can reform the campaign finance laws. The reason they believe that is that they believe that politicians will not reform a system that they depend upon for their survival. I am fearful tonight that we are going to confirm that belief.

In the past, reforms or so-called reforms have acted to protect incumbents to keep them getting reelected. That has worked. Ninety percent of incumbents get reelected to this body. One of the reasons for that is that challengers cannot raise the resources they need to challenge the incumbents.

Everyone knows the basic rule we learn around here when we come to orientation, and that is we go out and we raise enough money to keep a challenger out of our race. And it works. Many people do not have a challenger.

There are parts of the Shays-Meehan bill that I support energetically, enthusiastically: the ban on soft money going to our national parties, for example. There are parts that I have concerns about: the limits on the speech of outside groups that will surely, in my judgment, be struck down by the court.

But the part that I object most to is the fact that it is an incumbent protection plan, and here is why: By banning the soft money to parties, it makes the parties dependent on hard money. Hard money is limited individual contributions, and those are limited in total, how much a person can give in total to all parties and all candidates in a year.

So it puts the parties in competition with their own candidates. It is even now going to put parties in competition with outside groups who want to express their views.

The result is that parties are going to get that money, and incumbents are going to get that money, and probably those outside groups are going to get that money. But who is going to get left out? Challengers are going to get left out. Incumbents already have huge advantages in frank mail and media attention and fund-raising, and Shays-Meehan adds to those advantages.

Now, in my view, Shays will virtually guarantee the reelection of incumbents. That is why I call it an incumbent protection act. There is another choice, and that is the Hutchinson substitute tonight.

If my colleagues support, as I do, a ban on soft money, support the Hutchinson substitute. If my colleagues support, as I do, protecting free speech, then they would want to support the Hutchinson substitute. If my colleagues believe, as I do, that if we really wanted to reform campaigns, we need to promote competitive campaigns, the only choice is the Hutchinson substitute.

It solves those problems, and it does it this way: It creates a separate limit for parties and a separate limit for candidates. So there is no competition between candidates and their parties. It bans soft money. It deals with issue ads by saying, if they are truly issue ads, then they have to be managed like issue ads, and that is to report it as a lobbying activity which appropriately it is.

Now, there is another reason to support this substitute as well, and that is because it could actually become law. The Senate has repeatedly rejected the Shays-Meehan bill. If my colleagues really believe in reform and if they want common sense reform, and they want it actually to become law, then this is the way to make that happen.

If my colleagues vote no on the Hutchinson substitute, they are going to confirm the suspicions of the American people that my colleagues do not really believe in campaign reform.

My colleagues have an opportunity tonight to vote for real reform. I urge my colleagues to support the Campaign Integrity Act, the Hutchinson substitute.

Mr. HUTCHINSON. Mr. Chairman, may I inquire as to the balance of my time.

The CHAIRMAN. The gentleman from Arkansas (Mr. HUTCHINSON) has 9 minutes remaining. The gentleman from Florida (Mr. DAVIS) has 4 minutes remaining. The gentleman from Connecticut (Mr. SHAYS) has 5½ minutes remaining. The gentleman from Massachusetts (Mr. MEEHAN) has 4½ minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman from Connecticut for yielding me this time.

Mr. Chairman, let me begin by saying that the Hutchinson bill is a noble effort by the author and his cosponsors. As far as I am concerned, on the substance, the Hutchinson bill passes all the right tests. It passes all the tests of good policy. Every component of the Hutchinson bill is good legislation.

Unfortunately, it fails the one most crucial test, and that is its ability to garner a bipartisan large overwhelming passing number in this House. In fact, in the last session, the Hutchinson bill received 147 votes, 105 votes fewer than the Shays-Meehan bill. The HUTCHINSON bill was only able to garner 26 Democrats to support it.

This is the most partisan place on earth, and everything we do is constantly geared to one party gaining advantage over the other, and there is nothing wrong with that. The two-party system works.

But campaign finance reform is like nuclear disarmament. Even if we can find within ourselves the nobility to put our own personal interests aside and not protecting incumbencies, we have to achieve campaign finance reform in a way that lets both sides across the aisle look each other in the eye and say ''This does not give my party advantage over yours. This does not give your party advantage over mine. And that is the only way that we will ever succeed in this effort.''

Only Shays-Meehan meets that test. Unfortunately, sadly, the work of the gentleman from Arkansas (Mr. HUTCHINSON), as good as it is, does not meet that test. For that reason, I urge Shays-Meehan support.

☐ 2130

Mr. MEEHAN. Mr. Chairman, I yield 1 minute 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. Chairman, this has been a very constructive debate, and I appreciate the various ideas that my colleagues have offered. But the American people are asking us to do our job tonight, finally, once and for all.

Seventy-eight percent of them are believing that the current set of laws that control congressional campaign funding need reform. Eighty-five percent believe that campaign finance reform is necessary to reduce the influence of special interests. Seventy-four percent believe that they have nothing to do with political life, it is only the big interests.

So I think because we have struck a bipartisan collaborative effort in the Shays-Meehan legislation on campaign finance reform, let us do our job tonight.

The Shays-Meehan legislation specifically makes it very clear when we see ads on television that they are unambiguous, they are unmistakably for or against an opponent. They do not confuse them. They know who they do not want to vote for because it says what this is about.

In the shadow of this, the beginning of the election of 2000, when presidential campaigns are raising a whopping $50 million before federal campaign funds are matching, the American people want us tonight, Mr. Chairman, to do something.

Vote for the Shays-Meehan, real campaign finance reform.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have listened to the debate, and I am impressed with all of the words that I hear. But I am concerned about the Hutchinson substitute because it does gut some of the reforms of Shays-Meehan.

First, it indexes individual contribution limits, allowing them to automatically increase over time. Increasing individual contribution limits tells the American public that we think federal offices are for sale. Raising contribution limits marginalizes the participation of the poorest Americans and even minorities.

If we raise the limits, we are telling the American people and the American public that the richer we are, the better we are and we have to be rich to be heard.

This substitute really is a vote in favor of continuing to let money run our political system. A vote for the Hutchinson substitute tells the world that federal offices really are for sale. And most glaringly, the Hutchinson substitute tells America that to be protected they must be rich, it will cost them.

So I would ask that everyone support the Shays-Meehan and vote against the Hutchinson.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), who has really been a team player, who has been very outspoken on the issue of campaign finance reform.

Mr. BRADY of Texas. Mr. Chairman, the American dream is unique to our Nation. It means that no matter where we were born or of what means, if we work hard enough, if we want it bad enough, we can be anything, anything we want to be in this life, including a Member of Congress.

These days I am not so sure that American dream is going to be around for our young people. Today the average cost of winning an open seat in Congress is just about a million dollars. It is a million dollars, and it is doubling every 4 years.

That means a lots of good people in my community and a lot of good people in years to come are not going to be able to raise their hands to run for Congress because they do not have a million dollars; they do not even know where they would find it.

Well, it is not that perhaps the very wealthy cannot make good decisions. The point is, in a representative democracy like ours, I do not want to wake up some day and see that people from all walks of life cannot serve in this great body. I am convinced they can.

The Hutchinson bill takes a big step in restoring us to a citizen Congress from all walks of life. It is balanced. It does not give an edge to either political party, and it is constitutionally sound.

Today let me make a prediction. Shays-Meehan will pass this House and Shays-Meehan will die yet another death in the Senate, as it did last year.

Now, for some that is not a problem, but for me it is. I am convinced the reason people do not raise campaign finance in the polls as often is that they have given up hope it will actually do something. And every year it fails, every year it fails to pass into law, we discourage more people.

So my message is to the Senate, after Shays-Meehan dies, as it inevitably will, if they are serious about real reform that is constitutionally very sound, can actually become the law of the land, take a look at Hutchinson.

We are a little like the girl next door. When we get tired of chasing the prom queen and we are looking for real substance, the Hutchinson reform bill is here. It closes the soft money loophole. It preserves free speech and returns us to a citizen Congress. And more importantly, Hutchinson offers hope for those Americans who have lost hope that Congress will do the right thing to restore a citizen Congress to make it harder for incumbents to push us back in our districts to listen to our people. Hutchinson offers hope.

Mr. SHAYS. Mr. Chairman, I yield myself 2 minutes to refute, especially since my wife is in the gallery, that I am chasing the prom queen.

First off let me say that whenever the gentleman from Arkansas (Mr. HUTCHINSON) is involved in starting the flow of the debate, it always starts in a tone that to me is what makes me proud to be in this chamber, Republicans and Democrats talking about what we agree and disagree on. I just appreciate what he and his fellow freshmen have done. They have had an important role in helping us.

They could have an even more important role instead of giving the Senate an excuse to vote against campaign finance reform if their amendment fails, their substitute, that they then vote for our bill to enable it to have more support in the House and more impact in the Senate.

The bottom line is that we have two loopholes in our campaign law. One is soft money, the unlimited sums contributed by individuals, corporations, labor unions, and other interest groups. The gentleman from Arkansas (Mr. HUTCHINSON) and his colleagues deal with part of that. They ban soft money on the federal level. But they do not ban soft money on the State level for federal elections, and that will still allow corporations and labor unions to provide unlimited sums through corporate treasury money and union dues money. We shut that off.

The other thing they do not deal with are the sham issue ads. We do not outlaw them. We just simply call them what they are, campaign ads. Something interesting happens when we call them a campaign ad. We cannot use corporate money, and we cannot use union dues money. So we really believe that we need to deal with those issues.

We did not reach for the stars. This is not public funding. We did not reach for the stars. This is not half-price radio and TV. This is a middle-ground bill. And I really believe we can pass it in the Senate.

But even if we pass it in the Senate, do my colleagues really believe the Senate is going to vote for any bill exactly the way we send it to them? They are going to vote for their bill.

So I encourage my colleagues to vote against the Hutchinson bill and send this bill to the Senate.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. HOLT).

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

Mr. HOLT. Mr. Chairman, I rise in opposition to the Hutchinson substitute.

The first legislative act I took when I came to Congress in January was to cosponsor the Shays-Meehan bill. I did that because I believe that there is a crisis of confidence among voters in our political process. They know it is broken.

If we are ever going to restore the full trust of the American people in their Government, we must reform the campaign fiance system. The trust is vital if we are ever going to meet challenges like guaranteeing Social Security, improving our schools, increasing access to health care.

The public will not accept any solutions crafted here if they believe the solutions exist just for the special interests.

The Shays-Meehan bill would bar soft money; it would expose deceptive ads for what they really are, campaign ads. It would require new disclosure rules. These are partial, but essential, reforms.

By contrast, the Hutchinson substitute would simply redirect these funds to State political parties and allow the parties to continue to raise unlimited soft money. With double-existing hard money amounts, it is not reform; it is a step backwards.

Pass the Shays-Meehan bill, not a substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. HULSHOF) who is the president of the freshmen class that initiated campaign finance reform and has done an outstanding job.

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

Mr. HULSHOF. Mr. Chairman, I thank the gentleman for yielding me the time.

To my good friend from Connecticut and to the gentleman from Massachusetts, we have been laboring today

under the old adage that ''If at first you don't succeed, try, try again.'' Yet, those of us who support the Hutchinson substitute, we believe we are engaged in an exercise of futility.

The definition of ''insanity'' is taking exactly the same action and expecting a different result. The fact is that the Shays-Meehan bill is not going to pass in the Senate. The stage is set. The lights are up. The actors are ready. And they have handed us the same script. And guess what? The ending is the same.

Now, I want to respond to two consistent themes that have been heard throughout the day. I heard one colleague that suggested that in order to accomplish reform we are going to have to navigate a mine field of poison pills, as if every legitimate substitute not named ''Shays-Meehan'' somehow deserved a scarlet letter.

Well, Mr. Chairman, there are some of us who are really sincere reformers who choose not to kneel at the altar of every bill that has been anointed by some in this House or some in the Beltway. I think that the refusal to budge or compromise on the underlying bill has poisoned the well of campaign reform.

The gentleman from Pennsylvania spoke earlier about the bipartisan majority in the last debate. Yes, there were 250 new votes. I was one of them. I reluctantly supported Shays-Meehan last time because it was the only train leaving the station.

Quite frankly, if we were honest with ourselves in this body, I would think that we would agree that there were probably some jail-house converts last time who knew they were going to get a free vote on reform because the bill was going to fail in the Senate.

Regarding the merits of the Hutchinson alternative, it does ban soft money at the federal level. It prohibits States from transferring soft money. First, it allows States to decide for themselves and their own State legislatures whether or not to ban soft money at the State level for party building or get-out-the-vote efforts. But there is a firewall that is built between the State campaigns and the federal campaigns. Some have declared this some sort of a loophole. I respectfully disagree.

In Missouri, if they run for Statewide office, they can accept business contributions or corporate donations; and yet that money cannot be transferred to a federal candidate running for office. In the same way, the Hutchinson bill sets up an impenetrable firewall. And so we ban soft money at the federal level.

To the gentlewoman who spoke earlier about indexing the caps for inflation, if we ban some money at the federal level, I believe we have to index and raise the amount of money available in hard dollars.

I submit, Mr. Chairman, it is easy for newspaper editors or broadcast journalists across this country to wrap their arms around an extreme type of campaign reform because to them speech is free. And yet, if we want to refute or rebut a poisonous editorial, it costs us precious campaign dollars.

Without indexing limits for inflation, two things happen: either wealthy candidates will fund their own extravagant campaigns for office, or incumbents get the benefits of the present campaign zone. Because, as the gentleman from Montana pointed out, we have the ability to have name recognition or we have the ability of franked mail and the advantages of the incumbency.

For those of us who first ran unsuccessfully for Congress as a challenger, we need to keep the playing field level for challengers and incumbents alike. I think the Hutchinson bill is the best effort regarding that alternative.

☐ 2145

Finally, I believe it is time that we send a new piece of legislation to the Senate. This act takes a realistic and practical approach to reforming our Nation's campaign laws. I urge its support.

Mr. Chairman, I rise today in support of H.R. 1867, The Campaign Integrity Act of 1999, introduced by my colleague Representative HUTCHINSON. It is important to remember this legislation is the product of a bipartisan group of newly-elected Members last Congress. Through hearings and testimony, this legislation is a compromise approach to reforming our federal campaign finance structure. This core group of reformers stand before this chamber with an important alternative to the Shays-Meehan legislation.

In discussions with many of my colleagues and after reading the bills handicaps in several news articles, one item stands as a striking difference with this years debate on campaign finance reform. This debate lacks the drama presented by last year's discussion. The radical and rarely used tool of the discharge petition has been rendered ineffective and the outcome of this debate on campaign finance reform seems all too certain. With the lights dimmed and the pre-debate rhetoric toned down, the House plans to run the same play with the confidence of the American people hanging in the balance.

During last year's debate I challenged my colleagues to support the ''freshmen bill'' because it cut a swath down the middle of the campaign finance reform debate. Members could receive the same accolades from editorial boards across the country and their constituents for banning soft money, improving disclosure, and dealing with issue advertisements without harming the Constitution's provision for free speech. These three key elements continue to be the mantel of most campaign finance reform supporters.

However, it is incumbent upon us today to determine how these fundamental provisions of reform can make their way past the Senate and to the President's desk. Passing campaign finance reform measures out of the House, which we know will fall upon the same fate as it did last Congress in the Senate, does very little toward reforming the current inadequacies of how federal campaigns are financed. Mr. Chairman, we risk permanent damage to the faith of our individual constituents who feel their voices go unrecognized in the current political process. Passing Shays-Meehan and voting down the incremental but substantive strategy the Hutchinson bill provides will do little more than feed the flames of cynicism that Congress will never enact legislation to address the shortcomings of funding federal campaigns.

My fellow colleagues, it is interesting that on the day we consider campaign finance reform that we are in the thick of the annual appropriations process. I know that when I consider my vote on any one of the 13 appropriations' bills I begin by asking myself if I can support the compromise reached in the legislation before the House. Are there provisions within the bill that I find objectional enough to withhold my support of the overall legislation? No one gets everything they would like in each appropriations bill and the appropriations process clearly becomes a work of compromise. I ask my colleagues to use this same strategy in this campaign finance reform debate. Put aside your pride of ownership so that we may get substantive campaign finance reform that can pass the Senate and become law. Congress has been sold a bill of goods that there is only one way you can be for reform of the current financing systems supporters of the underlying bill have placed the scarlet letter of a ''poison pill'' on every other alternative. The only thing being poisoned is the well of effective campaign finance reform that is the end result of passing the Shays-Meehan bill and making it increasingly unlikely that Congress will enact meaningful reform. Adopting a strategy that simply tries the same thing twice is something Congress rarely does because it often doesn't work. I hope every constituent and newspaper editors ask the question; ''Who are the real reformers?'' when we continue to try a failed strategy. A martyr's death does nothing to help restore confidence in our political system.

It's time to send a new piece of legislation to the United States Senate. The Campaign Integrity Act takes a realistic and practical approach to reforming our country's campaign finance laws. By taking a step in the right direction the House can pass legislation that both focuses on reforming the most egregious campaign finance abuses, while standing the best chance of passing the Senate and being signed into law by the President. Let's restore the faith of the American people and pass legislation that moves towards meaningful campaign finance reform. I urge support of the Campaign Integrity Act of 1999.

Mr. MEEHAN. Mr. Chairman, I yield 90 seconds to the gentleman from Washington (Mr. INSLEE), a leader in campaign finance reform.

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

Mr. INSLEE. Mr. Chairman, I rise in favor of Shays-Meehan and against the substitute. In doing so, I would like to make a freshman observation. The observation I would like to make is that those of us in this Chamber have a unique opportunity in the world tonight. I say in the world tonight, because while there are other legislators elected by their constituents in other places in the world, some even older than our democracy, like Iceland, none

of them represent the Taj Mahal of democracy which is the American democratic system. And so when we act tonight to try to refine our system, let me suggest that we must act with assertion, we must act in a stalwart manner, and we have got to act aggressively.

Right now, the substitute acts with benign neglect of the biggest virus on the body politic in our country right now, which are bogus issue ads, bogus issue ads, which both parties and all special interests are taking out a political hammer and trying to beat their opponent over the head with it and seeking immunity in doing so by saying, ''It wasn't a hammer, it was only a blunt instrument.''

The damage to the health of democracy is the same whether we call them hammers or blunt instruments. We have got to make sure we address issue advocacy. The substitute has an abject failure to do so. Shays-Meehan recognizes that the special interests have found a giant loophole. They are taking those hammers and they are walking through. We have got to shut that down.

We have got the Taj Mahal of democracy. We have got real democracy. Let us have real reform and end issue ads.

The CHAIRMAN. The Chair would advise that the gentleman from Arkansas (Mr. HUTCHINSON) has 2½ minutes remaining, the gentleman from Connecticut (Mr. SHAYS) has 2 minutes, the gentleman from Massachusetts (Mr. MEEHAN) has 2 minutes, and the gentleman from Florida (Mr. DAVIS) has 2 minutes.

Mr. HUTCHINSON. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS), a member of the committee, has the right to close.

Mr. SHAYS. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, how many times did the civil rights bill come up on the floor of this Chamber? Do we not owe a debt to those who in the face of having been defeated kept trying? How many times did the Brady bill come up, and those of us who were concerned about handgun violence kept bringing it up, and finally it did pass. To be told that we cannot try Shays-Meehan one more time after one failure is a rebuke to the previous experience of those two particular examples, and hundreds of others.

We are told that the Shays-Meehan bill does not admit amendments or compromise. That is not true. Twenty-three amendments were passed last year and of those, 20 were incorporated in the bill this year. This bill has borne the benefit of the compromise process.

Why is it important to try? Because as the gentleman from Washington (Mr. INSLEE) who just spoke pointed out, there is a critical part of Shays-Meehan that is not in the Hutchinson bill. It deals with the sham ads. Why not try? Then if the bill gets over to the Senate and it turns out they do not like that provision, they can work their will over there. A motion can be made to strike the sham issue ads provision, and then we will go to conference and the result will be much like just the Hutchinson bill, in other words, a bill that just bans soft money. But if we do not try, we will never get there. We will never get the chance to ban sham issue ads.

How serious are sham issue ads? Oh, they are serious. Think about it just for a minute. If you run a campaign ad saying, ''Vote for me,'' you can only use donations that are $1,000 maximum. But if instead your party says, you're a splendid candidate, a great individual and deserve to be in Congress, they can use any amount of money, unregulated, because they did not say, ''Vote for me.''

We have seen this at the Presidential level. An actual ad from the last Presidential campaign points out, ''Medicare slashed . . . then Dole resigns, leaving behind gridlock he and Gingrich created.'' That was with soft money. Here is the one with hard money: ''The President stands firm. A balanced budget protects Medicare; disabled children; no again. Now Dole resigns, leaves the gridlock he and Gingrich created.'' They are the same thing.

Let us try to close that loophole.

How about the soft money loophole? It also is closed in the Shays-Meehan, but not in Hutchinson.

Mr. MEEHAN. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN. The gentlewoman from Ohio is recognized for 1 minute.

Ms. KAPTUR. Mr. Chairman, there is a simple reason for voting against the Hutchinson substitute. A vote for it destroys the first and only bipartisan piece of campaign finance reform ever to be passed in this Chamber. It destroys the only bill that will close the soft money loophole. Should this bill pass, it will pull the rug out from under Shays-Meehan. We cannot let that happen. The Hutchinson substitute does not stop soft money from influencing our Federal elections. It only does half the job. While this amendment calls for a ban on Federal soft money, it does not stop State parties from spending soft money on Federal elections.

That is like bolting the front door to protect yourself from burglars while hanging a neon sign on the back door that says, ''Come on in.'' It is a shell game. You are only moving the soft money from the Federal parties to the State parties.

The American people deserve better. The substitute leaves in place the current loophole through which unlimited dollars are funneled into Federal elections through sham issue ads as well.

Please vote against the Hutchinson substitute. America must do better. Vote against the substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield myself the balance of my time.

Again I want to thank my colleagues for their gracious spirit and the way they engaged in this debate, but I want to come back to some of the things that have been said. First of all I appreciate the kudos, that this is a noble effort, a great job. We need votes in this, votes that will change the dynamics in this body. I appreciate the compliments.

The gentleman from California (Mr. CAMPBELL) is an extraordinary legal scholar, but he wants to challenge the Supreme Court, and he has got guts there, but I do not think when you are dealing with campaign finance reform, you ought to go right in the face of the Supreme Court. I think they make these decisions for a reason, and it is the loophole of the sham ads that you talk about, that loophole is called the first amendment. I think it is something to be cherished, something that is to be regarded, something that should not be discarded lightly. So I have problems with that approach, that we are just going to go up to the Supreme Court, we are going to cost citizens millions of dollars and we are not going to worry about it and hope they change their mind. I think that is the wrong approach.

The gentlewoman from Ohio just talked about that this is not a bipartisan bill. I would remind my colleagues that this is inherently bipartisan. It is inherently bipartisan because my friends worked together with this. Now, they switched gears on us. In fact in the last vote there were 60 Democrats that voted ''present.'' I would urge my friends to reconsider that vote and vote positive for this, the bill that you supported.

If you look at where we are right now, this bill is going to go to the Senate. I hope we have a great vote. I hope we win. I hope people change their mind, but I am realistic. Shays-Meehan will most likely pass. It is going to go to the Senate for the third time. The first time it could not get the votes. The second time it could not get the votes. What will happen this time? I have talked to some of you privately, you say, ''We know it doesn't have the votes in the Senate,'' but we are going to send it over there for the third time.

I want to look to the future in a positive sense. I hope that the Senate will take some of these ideas and forge a bill that will pass. But what happens if they reject Shays-Meehan the third time? Next spring, are we going to give up? Are we going to tell the American voters, ''We can't do it''? Please, I plead with my colleagues, when it comes back next year, let us reconsider our position, let us be flexible, let us work together and get something, what we originally said we were going to do, which is common ground, common ground that we can send over there and be passed. Then we can look back on

this Congress and say, We did something. We worked together. We accomplished something. It passed, for the first time in 25 years.

Do you believe in your heart Shays-Meehan will be the one to do that? I urge support for the Hutchinson substitute.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we enact campaign finance reform once in a generation. The last time we enacted meaningful, comprehensive campaign finance reform was in the post-Watergate era. For a while that system worked pretty well. But over a period of the last 20 to 25 years, loopholes have developed in the law, loopholes being that incredible amounts of soft money, over and above the legal limits, are being spent to influence elections in our country. An incredible amount, millions of dollars in sham issue ads are being spent to influence elections in our country. So we now have a unique opportunity to pass comprehensive campaign finance reform. We have to make sure that when we pass this bill, we do not pass a bill that already has loopholes in it.

The Hutchinson amendment fails to close the soft money loophole because it enables the insurance companies and the tobacco companies and all of these special interests to circumvent the Federal parties and influence Federal campaigns by going to the States. Many of these States do not even have disclosure requirements of this money. It is too big of a loophole. It does not do anything about reining in sham issue ads. It is too big of a loophole. We have to deal with both of these problems. That is why we have to pass this bill.

Finally, a majority of the Members of the Senate have supported this legislation. The only reason it has not passed is we have not gotten the 60 votes over there to break a filibuster. We are going to be able to do it because eventually the public will win this argument. Vote for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 1½ minutes.

Mr. DAVIS of Florida. Mr. Chairman, the Hutchinson bill on balance is a good bill. I want to commend the gentleman from Arkansas (Mr. HUTCHINSON), the gentleman from Missouri (Mr. HULSHOF), the gentleman from Maine (Mr. ALLEN) and all of us who worked very hard to put it together. It was the best we could do under some very rough circumstances, over opposition from Democrats and Republicans here. But I disagree with the gentleman from Arkansas (Mr. HUTCHINSON) when he says we cannot do better. We have to do better. Look how far we have come just in the last year.

Last year, we as freshmen had to fight like dogs just to get the bill heard on the floor of the House. We encountered numerous forms of subterfuge just to be heard on the merits. Tonight we have been much more successful in having an open and honest debate on campaign finance reform. We have had some very strong votes here tonight, Democrats and Republicans. We are making progress. We are starting to make it clear that we have found a way to close two of the most gaping loopholes in the system.

Shays-Meehan has been to the Senate only once, not twice. It will go over there again tonight. Last year 52 Senators, Democrats and Republicans, voted in favor of the McCain-Feingold companion to our bill. Can they do better? They have to do better. Our system of democracy depends upon it.

Let us not sell ourselves short tonight. Let us instead be ambitious. Let us pass the strongest campaign finance reform bill that we can. Let us send it to the Senate. We will negotiate and try to produce something that is meaningful to close two of these most gaping loopholes, because the money continues to pour in at record rates. We have got to do something and we can help put the Senate in the right direction. I would urge defeat of the Hutchinson amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arkansas (Mr. HUTCHINSON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HILL of Montana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 327, not voting 7, as follows:

[Roll No. 420]

AYES—99

Aderholt	Gibbons	Pickering
Archer	Goode	Radanovich
Bachus	Goodlatte	Riley
Baker	Goss	Rohrabacher
Ballenger	Granger	Royce
Barcia	Green (WI)	Ryan (WI)
Barton	Gutknecht	Salmon
Bateman	Hall (TX)	Scarborough
Blunt	Hansen	Scott
Bono	Hill (MT)	Sensenbrenner
Brady (TX)	Hobson	Shimkus
Burr	Hoekstra	Shuster
Burton	Hulshof	Smith (NJ)
Buyer	Hutchinson	Spence
Callahan	Jenkins	Stearns
Chabot	John	Stump
Coble	Jones (NC)	Sununu
Coburn	Kolbe	Sweeney
Collins	LaHood	Talent
Combest	Largent	Tauzin
Cook	Linder	Taylor (NC)
Cunningham	McCollum	Thomas
Davis (VA)	McCrery	Thornberry
Diaz-Balart	McKeon	Thune
Dickey	Miller (FL)	Vitter
Duncan	Moran (KS)	Walden
Ehlers	Myrick	Watkins
Emerson	Ney	Weldon (FL)
English	Nussle	Whitfield
Everett	Oxley	Wicker
Ewing	Paul	Wilson
Fowler	Peterson (MN)	Wolf
Gekas	Petri	Young (AK)

NOES—327

Abercrombie	Andrews	Baldacci
Ackerman	Armey	Baldwin
Allen	Baird	Barr
Barrett (NE)	Gillmor	Miller, Gary
Barrett (WI)	Gilman	Miller, George
Bartlett	Gonzalez	Minge
Bass	Goodling	Mink
Becerra	Gordon	Moakley
Bentsen	Graham	Mollohan
Bereuter	Green (TX)	Moore
Berkley	Greenwood	Moran (VA)
Berman	Hall (OH)	Morella
Berry	Hastings (WA)	Murtha
Biggert	Hayes	Nadler
Bilbray	Hayworth	Napolitano
Bilirakis	Hefley	Neal
Bishop	Herger	Nethercutt
Blagojevich	Hill (IN)	Northup
Bliley	Hilleary	Norwood
Blumenauer	Hilliard	Oberstar
Boehlert	Hinchey	Obey
Boehner	Hinojosa	Olver
Bonilla	Hoeffel	Ortiz
Bonior	Holden	Ose
Borski	Holt	Owens
Boswell	Hooley	Packard
Boucher	Horn	Pallone
Boyd	Hostettler	Pascrell
Brady (PA)	Houghton	Pastor
Brown (FL)	Hoyer	Payne
Brown (OH)	Hunter	Pease
Bryant	Hyde	Pelosi
Calvert	Inslee	Phelps
Camp	Isakson	Pickett
Campbell	Istook	Pitts
Canady	Jackson (IL)	Pombo
Cannon	Jackson-Lee (TX)	Pomeroy
Capps	Jefferson	Porter
Capuano	Johnson (CT)	Portman
Cardin	Johnson, E. B.	Price (NC)
Carson	Johnson, Sam	Quinn
Castle	Jones (OH)	Rahall
Chambliss	Kanjorski	Ramstad
Chenoweth	Kaptur	Rangel
Clay	Kasich	Regula
Clayton	Kelly	Reyes
Clement	Kennedy	Reynolds
Clyburn	Kildee	Rivers
Condit	Kilpatrick	Rodriguez
Conyers	Kind (WI)	Roemer
Cooksey	King (NY)	Rogan
Costello	Kleczka	Rogers
Cox	Klink	Rothman
Coyne	Knollenberg	Roukema
Cramer	Kucinich	Roybal-Allard
Crane	Kuykendall	Rush
Crowley	LaFalce	Ryun (KS)
Cubin	Lampson	Sabo
Cummings	Lantos	Sanchez
Danner	Larson	Sanders
Davis (FL)	Latham	Sandlin
Davis (IL)	LaTourette	Sanford
Deal	Lazio	Sawyer
DeFazio	Leach	Saxton
DeGette	Lee	Schaffer
Delahunt	Levin	Schakowsky
DeLauro	Lewis (CA)	Serrano
DeLay	Lewis (GA)	Sessions
DeMint	Lewis (KY)	Shadegg
Deutsch	Lipinski	Shays
Dicks	LoBiondo	Sherman
Dingell	Lofgren	Sherwood
Dixon	Lowey	Shows
Doggett	Lucas (KY)	Simpson
Dooley	Lucas (OK)	Sisisky
Doolittle	Luther	Skeen
Doyle	Maloney (CT)	Skelton
Dreier	Maloney (NY)	Slaughter
Dunn	Manzullo	Smith (MI)
Edwards	Markey	Smith (TX)
Ehrlich	Martinez	Smith (WA)
Engel	Mascara	Snyder
Eshoo	Matsui	Souder
Etheridge	McCarthy (MO)	Spratt
Evans	McCarthy (NY)	Stabenow
Farr	McDermott	Stark
Fattah	McGovern	Stenholm
Filner	McHugh	Strickland
Fletcher	McInnis	Stupak
Foley	McIntosh	Tancredo
Forbes	McIntyre	Tanner
Ford	McKinney	Tauscher
Fossella	McNulty	Taylor (MS)
Frank (MA)	Meehan	Terry
Franks (NJ)	Meek (FL)	Thompson (CA)
Frelinghuysen	Meeks (NY)	Thompson (MS)
Frost	Menendez	Thurman
Gallegly	Metcalf	Tiahrt
Ganske	Mica	Tierney
Gejdenson	Millender-McDonald	Toomey
Gephardt		Towns
Gilchrest		Traficant

Turner	Wamp	Wexler
Udall (CO)	Waters	Weygand
Udall (NM)	Watt (NC)	Wise
Upton	Watts (OK)	Woolsey
Velazquez	Waxman	Wu
Vento	Weiner	Wynn
Visclosky	Weldon (PA)	Young (FL)
Walsh	Weller	

NOT VOTING—7

Gutierrez	Peterson (PA)	Shaw
Hastings (FL)	Pryce (OH)	
Kingston	Ros-Lehtinen	

□ 2219

Mr. WELDON of Pennsylvania changed his vote from ''aye'' to ''no.''

Mr. ROHRABACHER changed his vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 106–311.

AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 13 in the nature of a substitute offered by Mr. THOMAS:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Campaign Reform and Election Integrity Act of 1999''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References in act.

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

Sec. 101. Extension of ban on foreign contributions to all campaign-related disbursements; protecting equal participation of eligible voters.

TITLE II—IMPROVING REPORTING OF INFORMATION

Sec. 201. Mandatory electronic filing for certain reports; expediting reporting of information.
Sec. 202. Reporting of secondary payments; expansion of other types of information reported.
Sec. 203. Disclosure requirements for certain soft money expenditures of political parties.

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

Sec. 301. Standards for initiation of actions and written responses by Federal Election Commission.
Sec. 302. Banning acceptance of cash contributions greater than $100.
Sec. 303. Deposit of certain contributions and donations to be returned to donors in Treasury account.
Sec. 304. Alternative procedures for imposition of penalties for reporting violations.
Sec. 305. Abolition of ex officio membership of Clerk of House of Representatives and Secretary of Senate on Commission.
Sec. 306. Broader prohibition against force and reprisals.
Sec. 307. Signature authority of members of Commission for subpoenas and notification of intent to seek additional information.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

Sec. 401. Application of aggregate contribution limit on calendar year basis during non-election years.
Sec. 402. Treatment of lines of credit obtained by candidates as commercially reasonable loans.
Sec. 403. Repeal Secretary of Commerce reports on district-specific population.
Sec. 404. Technical correction regarding treatment of honoraria.

TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

SEC. 2. REFERENCES IN ACT.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Federal Election Campaign Act of 1971 .

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

SEC. 101. EXTENSION OF BAN ON FOREIGN CONTRIBUTIONS TO ALL CAMPAIGN-RELATED DISBURSEMENTS; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS.—Section 319 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking ''contributions'' and inserting ''donations and other disbursements'';

(2) in subsection (a), by striking ''contribution'' each place it appears and inserting ''donation or other disbursement''; and

(3) in subsection (a), by striking the semicolon and inserting the following: '', including any donation or other disbursement to a political committee of a political party and any donation or other disbursement for an independent expenditure;''.

(b) CODIFICATION OF REGULATIONS PROHIBITING USE OF FOREIGN FUNDS BY MULTICANDIDATE POLITICAL COMMITTEES; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.—Section 319 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

''(b) It shall be unlawful for any person organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States to make any donation or other disbursement to any candidate for political office in connection with an election for any political office, or to make any donation or other disbursement to any political committee or to any organization or account created or controlled by any United States political party, unless such donation or disbursement is derived solely from funds generated from such person's own business activities in the United States.

''(c) Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to contributions, donations, and other disbursements made on or after the date of the enactment of this Act.

TITLE II—IMPROVING REPORTING OF INFORMATION

SEC. 201. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS; EXPEDITING REPORTING OF INFORMATION.

(a) REQUIRING ELECTRONIC FILING WITHIN 24 HOURS OF CERTAIN CONTRIBUTIONS AND INDEPENDENT EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION.—

(1) IN GENERAL.—Section 304(a) (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

''(12)(A) Notwithstanding any other provision of this Act, each political committee described in subparagraph (B)(i) that receives a contribution in an amount equal to or greater than $200, and any person described in subparagraph (B)(ii) who makes an independent expenditure, during the period which begins on the 90th day before an election and ends at the time the polls close for such election shall, with respect to any information required to be filed with the Commission under this section with respect to such contribution or independent expenditure, file and preserve the information using electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit, and shall file the information within 24 hours after the receipt of the contribution or the making of the independent expenditure.

''(B) For purposes of subparagraph (A)—

''(i) a political committee described in this clause is a political committee that has received an aggregate amount of contributions equal to or greater than $50,000 with respect to the election cycle involved; and

''(ii) a person described in this clause is a person who makes an aggregate amount of independent expenditures during the election cycle involved or during any of the 2 previous 2-year general election cycles in an amount equal to or greater than $10,000.

''(C) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.''.

(2) INTERNET DEFINED.—Section 301(19) (2 U.S.C. 431(19)) is amended to read as follows:

''(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(b) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election cycle involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such methods.''.

(c) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE WITHIN 20 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.—Section 304(a)(6)(A) (2 U.S.C. 434(a)(6)(A)) is amended—

(1) by striking ''after the 20th day, but more than 48 hours before any election'' and inserting ''during the period which begins on the 20th day before an election and ends at the time the polls close for such election''; and

(2) by striking ''48 hours'' the second place it appears and inserting the following: ''24 hours (or, if earlier, by midnight of the day on which the contribution is deposited)''.

(d) REQUIRING ACTUAL RECEIPT OF CERTAIN INDEPENDENT EXPENDITURE REPORTS WITHIN 24 HOURS.—

(1) IN GENERAL.—Section 304(c)(2) (2 U.S.C. 434(c)(2)) is amended in the matter following subparagraph (C)—

(A) by striking ''shall be reported'' and inserting ''shall be filed''; and

(B) by adding at the end the following new sentence: ''Notwithstanding subsection (a)(5), the time at which the statement under this subsection is received by the Secretary, the Commission, or any other recipient to whom the notification is required to be sent shall be considered the time of filing of the statement with the recipient.''.

(2) CONFORMING AMENDMENT.—Section 304(a)(5) (2 U.S.C. 434(a)(5)) is amended by striking ''or (4)(A)(ii)'' and inserting ''or (4)(A)(ii), or the second sentence of subsection (c)(2)''.

(e) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—

(1) IN GENERAL.—Section 304(b) (2 U.S.C. 434(b)) is amended—

(A) by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), and (7); and

(B) in paragraph (6)(A), by striking ''calendar year'' and inserting ''election cycle''.

(2) ELECTION CYCLE DEFINED.—Section 301 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—Except as the Commission may otherwise provide, the term 'election cycle' means, with respect to an election, the period beginning on the day after the date of the most recent general election for the office involved and ending on the date of the election.''.

(f) CLARIFICATION OF PERMISSIBLE USE OF FACSIMILE MACHINES AND ELECTRONIC MAIL TO FILE REPORTS.—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking ''method,'' and inserting the following: ''method (including by facsimile device or electronic mail in the case of any report required to be filed within 24 hours after the transaction reported has occurred),''.

SEC. 202. REPORTING OF SECONDARY PAYMENTS; EXPANSION OF OTHER TYPES OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: '', and, if such person in turn makes expenditures which aggregate $5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;''.

(2) RECORD KEEPING.—Section 302 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.''.

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) (2 U.S.C. 434(a)(7)) is amended—

(1) by striking ''(7)'' and inserting ''(7)(A)''; and

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

''(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.''.

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such person with respect to the election involved''; and

(2) in subparagraph (B), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such committee with respect to the election involved''.

SEC. 203. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.—Section 304(b)(4) (2 U.S.C. 434(b)(4)) is amended—

(1) by striking ''and'' at the end of subparagraph (H);

(2) by adding ''and'' at the end of subparagraph (I); and

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

''(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;''.

(b) DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.—Section 304 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity.''.

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

SEC. 301. STANDARDS FOR INITIATION OF ACTIONS AND WRITTEN RESPONSES BY FEDERAL ELECTION COMMISSION.

(a) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking ''it has reason to believe'' and all that follows through ''of 1954,'' and inserting the following: ''it has a reason to seek additional information regarding a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1999),''.

(b) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

''OTHER WRITTEN RESPONSES TO QUESTIONS

''SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

''(b) PROCEDURE FOR RESPONSE.—

''(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

''(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

''(c) EFFECT OF RESPONSE.—

''(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

''(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

''(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

''(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.''.

(2) CONFORMING AMENDMENT.—Section 307(a)(7) (2 U.S.C. 437d(a)(7)) is amended by striking ''of this Act'' and inserting ''and other written responses under section 308A''.

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended by inserting after ''shall be notarized,'' the following:

''shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,''.

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking ''(a)(1)'' and inserting ''(a)(1)(A)''; and

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

''(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to seek additional information, you will be notified and be given further opportunity to respond.'''.

SEC. 302. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.''.

SEC. 303. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 323. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 90 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 90 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST.—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code, against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) to seek additional information regarding whether or not the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 323, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 323, as added by subsection (a), is amended by adding at the end the following:

''(d) DONATION DEFINED.—In this section, the term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in section 301(8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 323.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 323 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

SEC. 304. ALTERNATIVE PROCEDURES FOR IMPOSITION OF PENALTIES FOR REPORTING VIOLATIONS.

(a) IN GENERAL.—Section 309(a)(4) (2 U.S.C. 437g(a)(4)) is amended—

(1) in subparagraph (A)(i), by striking ''clause (ii)'' and inserting ''clauses (ii) and subparagraph (C)''; and

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

''(C)(i) Notwithstanding subparagraph (A), in the case of a violation of any requirement under this Act relating to the reporting of receipts or disbursements, the Commission may—

''(I) find that a person committed such a violation on the basis of information obtained pursuant to the procedures described in paragraphs (1) and (2); and

''(II) based on such finding, require the person to pay a civil money penalty in an amount determined under a schedule of penalties which is established and published by the Commission and which takes into account the amount of the violation involved, the existence of previous violations by the person, and such other factors as the Commission considers appropriate (but which in no event exceeds $20,000).

''(ii) The Commission may not make any determination adverse to a person under clause (i) until the person has been given written notice and an opportunity to be heard before the Commission.

''(iii) Any person against whom an adverse determination is made under this subparagraph may obtain a review of such determination by filing in the United States District Court for the District of Columbia or for the district in which the person resides or transacts business (prior to the expiration of the 30-day period which begins on the date the person receives notification of the determination) a written petition requesting that the determination be modified or set aside.''.

(b) CONFORMING AMENDMENT.—Section 309(a)(6)(A) (2 U.S.C. 437g(a)(6)(A)) is amended by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after January 1, 2001.

SEC. 305. ABOLITION OF EX OFFICIO MEMBERSHIP OF CLERK OF HOUSE OF REPRESENTATIVES AND SECRETARY OF SENATE ON COMMISSION.

Section 306(a) (2 U.S.C. 437c(a)) is amended—

(1) in paragraph (1), by striking ''the Secretary of the Senate and the Clerk'' and all that follows through ''right to vote, and''; and

(2) in paragraphs (3), (4), and (5), by striking ''(other than the Secretary of the Senate and the Clerk of the House of Representatives)'' each place it appears.

SEC. 306. BROADER PROHIBITION AGAINST FORCE AND REPRISALS.

Section 316(b)(3) (2 U.S.C. 441b(b)(3)) is amended—

(1) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D); and

(2) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

''(A) for such a fund to cause another person to make a contribution or expenditure by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal;''.

SEC. 307. SIGNATURE AUTHORITY OF MEMBERS OF COMMISSION FOR SUBPOENAS AND NOTIFICATION OF INTENT TO SEEK ADDITIONAL INFORMATION.

(a) ISSUANCE OF SUBPOENAS.—Section 307(a)(3) (2 U.S.C. 437d(a)(3)) is amended by striking ''signed by the chairman or the vice chairman'' and inserting ''signed by any member of the Commission''.

(b) NOTIFICATIONS OF INTENT TO SEEK ADDITIONAL INFORMATION.—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking ''through its chairman or vice chairman'' and inserting ''through any of its members''.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

SEC. 401. APPLICATION OF AGGREGATE CONTRIBUTION LIMIT ON CALENDAR YEAR BASIS DURING NON-ELECTION YEARS.

Section 315(a)(3) (2 U.S.C. 441a(a)(3)) is amended by striking the second sentence.

SEC. 402. TREATMENT OF LINES OF CREDIT OBTAINED BY CANDIDATES AS COMMERCIALLY REASONABLE LOANS.

Section 301(8)(B) (2 U.S.C. 431(8)(B)) is amended—

(1) by striking ''and'' at the end of clause (xiii);

(2) by striking the period at the end of clause (xiv) and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(xv) any loan of money derived from an advance on a candidate's brokerage account, credit card, home equity line of credit, or other line of credit available to the candidate, if such loan is made in accordance with applicable law and under commercially reasonable terms and if the person making such loan makes loans in the normal course of the person's business.''.

SEC. 403. REPEAL SECRETARY OF COMMERCE REPORTS ON DISTRICT-SPECIFIC POPULATION.

(a) REPEAL REPORT BY SECRETARY OF COMMERCE ON DISTRICT-SPECIFIC VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking ''States, of each State, and of each congressional district'' and inserting ''States and of each State''.

(b) DEADLINE FOR REPORTING OF CERTAIN ANNUAL ESTIMATES TO COMMISSION.—

(1) PRICE INDEX.—Section 315(c)(1) (2 U.S.C. 441a(c)(1)) is amended—

(A) by striking ''At the beginning'' and inserting ''Not later than February 15''; and

(B) by striking ''as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor,''.

(2) VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking ''During the first week of January 1975, and every subsequent year,'' and inserting ''Not later than February 15 of 1975 and each subsequent year,''.

SEC. 404. TECHNICAL CORRECTION REGARDING TREATMENT OF HONORARIA.

Section 301(8)(B) (2 U.S.C. 431(8)(B)), as amended by section 402, is further amended—

(1) by adding ''and'' at the end of clause (xiii);

(2) by striking clause (xiv); and

(3) by redesignating clause (xv) as clause (xiv).

TITLE V—EFFECTIVE DATE

SEC. 501. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) framed this debate earlier in the day, I do not think he fully appreciates it but he certainly did, when he said we ought to support the Thomas substitute tomorrow.

We will recall the song, tomorrow, tomorrow, tomorrow is always a day away.

Some of the provisions in my substitute have stretched that day to more than a quarter of a century. Of the more than two dozen provisions in the Thomas substitute, 13 of them have not been addressed since 1976.

Why? The cry has always been for real, for substantive change, change that could become law, let us do it tomorrow.

We are in the middle of this debate in which people who are supporting Shays-Meehan have the latest cracker jack approach. Of course, earlier it was PACs. Before that it was other bogeymen in terms of the system, all of them fundamental threats to the republic, notwithstanding the Supreme Court saying that the First Amendment has to be upheld.

We see another assault on the First Amendment.

What I decided to do, Mr. Chairman, was to examine what the Democrats were offering, what the Republicans were offering, what was obviously in need of change, pull it together and in about two dozen provisions offer change; change that has been needed for more than a quarter of a century in some instances but has never, ever, for some reason, been able to move.

Some of my colleagues might find it ironic, but one of the provisions in my substitute bans foreign soft money in U.S. elections. Another one guarantees the rights of U.S. citizens to contribute to campaigns through Political Action Committees. Whether the PAC is a domestic or a foreign-owned corporation it has to be in the United States. Many of them deal with the current antiquated timing of information. Many of them extend from 1976.

Forty-eight hours in 1976 may have been a relatively long time. Mobile phones were not invented. E-mail was not invented. To a very great extent, the Internet did not exist. There were 200 sites linked through the Advanced Research Project Agency's net, but it certainly was not the Internet. C–SPAN did not exist; neither did CNN or ESPN.

The world has changed in that quarter century, but one thing has not changed: Federal election law. Why? Because whenever anyone offered reasonable and appropriate change, the plea was always tomorrow.

If anybody in this Chamber wants to make law tonight, they ought to take a look at the Thomas substitute because it is, as it will be described, an amalgam of a bunch of good stuff that should have been passed a long time ago; but it was always the latest issue that got in front of it and the latest issue never made it.

This issue will not make it. Shays-Meehan will not become law. If someone wants to make a political statement, then vote for Shays-Meehan. If they want to make law, if they want to change current law, if they want to shorten 48 hours to 24, if they want to take all those people who currently run their financing of their campaigns on their computers and then, because of our current laws run a contest in the campaign office to find a person with the worst handwriting and have them personally fill out the report so that when it gets to the FEC it has to be translated and then put on the electronic medium, what we say is do it electronically if a campaign raises more than $50,000.

Everybody is doing it on computers anyway. These are the kind of changes that we ought to make first. Let us get it right, and then we can discuss how we want to change the world.

It just seems to me that at some time after the invention of compact disk players, after the invention of VCRs, after Larry Bird was elected NBA rookie of the year in 1980, some of these provisions ought to be changed. This is the opportunity.

If my colleagues want to make a statement, vote for Shays-Meehan; if they want to make law, vote for the Thomas substitute.

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

Mr. HOYER. Mr. Chairman, we want to make sense today. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, first I want to applaud the truly bipartisan team so ably lead by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) who have brought us yet again this year to the success that we have seen today on sticking together and doing the right thing.

I want to thank the Speaker of the House for honoring his commitment to allow this legislation to come to the floor with a full and fair debate in September of this year, and we will complete this business in a few moments.

I also want to point out, though, that when my party, the Republican Party, in which I am proud to be an active member, was in the minority here, our

party supported most of these same reforms in the minority. The truth is, any minority party is going to support reform and any majority party is going to oppose reform because it is basically essential, they believe, to preserve the current system for their benefit, and therein lies the problem.

This bill is the best effort in 25 years to make major strides towards cleaning up the current system. The American people expect us to do that.

I believe that this is a decision for the ages that we will make in a few minutes. We do have to beat back the Thomas substitute. It is obviously full of things that need to be done, but it is really not campaign finance reform itself, in and of itself. It is campaign reform. It is corrections. It cleans up the current system, but it does not address soft money and the major issues that affect the system today that need to be addressed. So it should be an amendment and not a substitute.

So we will have to beat it back and then bring this to final passage. The vote, though, again Thomas and then for final passage, is a vote really about putting country above party, and that is difficult because the pressures within one's party are to support the leadership, to support the majority. Clearly, it takes courage, I think, for some of us to step out and say this needs to be done.

Countless former Members of this House and the Senate have come out in support of this. It is amazing how many more people support this when they are no longer here, when they no longer face the pressures of reelection or holding the majority. Then they reflect and say, that really needs to be done. Virtually every President that can speak on this issue has said this needs to be done. They are serving really as the conscience of the American electorate and the leadership of our country by saying, yes, I am no longer standing for reelection. I have been there. I know the influences of money on critical policy decisions that affect our great Nation; and, yes, this needs to be done. So we need to listen closely to them as well.

This bill cuts both ways. I believe it is equally harsh on the Republican Party and the Democratic Party.

The Good Book says, the love of money is the root of all evil.

□ 2230

There are too many influential decisions made by money in this institution. Let us pass Shays-Meehan tonight.

Mr. THOMAS. Mr. Chairman, it is my privilege to yield 3 minutes to the gentleman from Illinois (Mr. EWING), a member of the committee.

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

Mr. EWING. Mr. Chairman, I rise in support of the Thomas substitute, and I urge my colleagues to vote for this substitute. The legislation makes a series of much-needed changes. For instance, there are over 20 provisions in this legislation that will simplify and strengthen laws for FEC reporting and enforcement. In addition, the Thomas substitute places a strict ban on foreign soft money. Finally, one of the problems with the current campaign finance system is not what we know, but what we do not know. This legislation will ensure that more rapid filing requirements, electronic filings, will make it easier for the public to know who is contributing to which federal candidate.

This is why I commend Texas Governor George W. Bush who posted all of his campaign contributors on his Web site for public view. The most important aspect of this debate is information, and we should support legislation that gives us more information, not less.

Once again, it seems that politics will rule the day, though, for supporters of Shays-Meehan, a major portion of the Thomas substitute was taken from the ranking member of the Committee on House Administration, yet politics prevail and he has chosen to oppose the bill with the provisions in it that he himself used to support. It is pretty clear to me that the proponents of this legislation are more concerned about politicizing the issue, rather than actually passing legislation which will improve our current situation.

The Thomas substitute is the only legislation that has a chance to be signed into law. If we do not pass this bill out of this House, that has a chance to be signed into law, the current abuses will go untouched.

I say to my fellow Members that if they really care about going back to their districts and telling their constituents that they supported real campaign finance reform, then support the Thomas substitute. This legislation places a strict ban on foreign soft money contributions to federal candidates. This was the major abuse in the last presidential election, and unless we support this legislation, these abuses can continue.

Mr. Chairman, I urge my colleagues to vote for the Thomas substitute which is the only legislation we will consider here tonight that will be signed into law.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, this amendment is the only obstacle standing between us and passage of the Shays-Meehan bill. Unfortunately, this is not a debate on the merits of this amendment, because the gentleman from Tennessee (Mr. WAMP) and I attempted to offer the substance of this amendment as a separate amendment to Shays-Meehan so that the Members would have an opportunity to vote for this Good Housekeeping measure and for Shays-Meehan, and we were deprived of that opportunity, and so was the body.

This amendment is so innocuous that it comprises mostly recommendations that were unanimously supported by the FEC commissioners. If there is a single Member in this chamber tonight that intends to vote against this amendment, raise their hands. Not a single Member. This is an amendment that should be taken up on the consent calendar that is reserved for technical bills. That is where we should be debating the merits of this. We should not be debating it as a way to submarine Shays-Meehan.

The fight has always been about the right to be heard about the merits of Shays-Meehan on the floor of the House, and we have almost concluded that debate, but let me conclude by citing once again the facts, because the facts speak for themselves. In the 1991/1992 election cycle, $86 million by both political parties was spent in soft money; in 1996, $260 million; in 1970 and 1978, $193 million, more than twice the previous presidential campaign cycle. And in the 2000 election cycle, it is estimated between $500 million and $750 million in soft money. These are unlimited contributions that are not being made for good government.

The facts speak for themselves. Let us defeat this amendment, let us pass it on the consent calendar, and let us pass Shays-Meehan.

Mr. THOMAS. Mr. Chairman, I yield myself 1 minute to give an example of the kinds of things that we propose in the Thomas substitute that simply have been overlooked for more than a quarter of a century. When one makes reports, there is no requirement to show secondary payments. In many campaign reports, they simply list their key campaign support committee, $50,000. We have no idea where that money has been spent, and there is no requirement under federal law to break it down.

What we say we ought to do is to require record keeping and disclosure by political committees in terms of who got the actual payment: the secondary payers, the subcontractors. This is absolutely essential to have an understanding of the flow of money. They say they want to follow the money. They say they want to make sure everyone knows who pays whom. It simply is not done in Shays-Meehan. This is a long overdue change.

It also requires post-election reports to include cumulative information on contributions and expenditures. Those are the kinds of things that will give people a true picture of who contributes and who spends. It is not in theirs; it is in ours.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Thomas substitute to H.R. 417.

This substitute amendment makes meaningful reforms to the current system that are balanced, constitutional and have an actual chance of being

signed into law. The banning of foreign soft money improved enforcement ability of the FEC and increased candidate and party disclosure by means of electronic filing and public Internet posting are all much-needed reforms that both parties agree are necessary.

I urge my colleagues to vote for the Thomas substitute, because although it is limited in scope, it provides a fair and balanced reform to the current system and has the potential to pass the Senate this year and become law. By contrast with the Shays-Meehan placebo, the Thomas substitute would make changes that would not unduly favor one party or one philosophy over another after facing judicial scrutiny. Unlike Shays-Meehan, the Thomas substitute will not add to the overwhelming advantage that incumbents have over challengers.

Shays-Meehan is ultimately an incumbent protection bill. It will reduce competition in congressional elections and further sap the vitality of our political process.

Although proponents of Shays-Meehan claim it is the only reform package that has a chance of being enacted, the reality is that the Senate is likely to block the Shays-Meehan bill much as it did last year when a nearly identical measure was reported out of the House.

Mr. Chairman, I urge my colleagues to send something to the Senate that we have a chance of putting into law this year and deserves to be put into law and deals with real abuses in a very balanced and constitutional way. I urge a vote for the Thomas substitute for all of those who are true supporters of campaign finance reform.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, of this amendment it can be said, seldom have so few worked so hard to do so little. Who could be against the little that this substitute proposes? Only those of us who are committed to doing more, who realize that the modest changes proposed by the Shays-Meehan approach are the minimum necessary to bring any real change to this Congress.

Those intent on blocking reform have carefully crafted the rule governing the procedure for this debate so that the approval of any alternative, even one as meager as that advanced by the gentleman from California (Mr. THOMAS), will serve to nullify real reform. The sole purpose of this substitute is not some newly discovered interest in correcting some minor provisions in the Federal Election Code, but it is to defeat true reform, an objective its author has made clear by his repeated votes against cleaning up this mess.

Without a vote for genuine campaign finance reform tonight, special interests will continue to have a strangle hold on this body. The pharmaceutical companies will decide whether seniors get access to prescription drugs. The tobacco companies will decide whether we do anything about nicotine addiction among our young people. The special interests will continue to write a tax code that is replete with loopholes that burden the rest of the American people.

We need a clean sweep of this campaign finance system, not some modest housekeeping touch-up; not mere toothless tinkering with a clearly very broken system. Reject this amendment and adopt true reform.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 14 minutes remaining; the gentleman from California (Mr. THOMAS) has 9 minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, let me remind the House that oftentimes when people talk about tomorrow, the other day that they refer to is yesterday. And in this particular case, there was a yesterday not too long ago when the substance of the Thomas legislation was offered as an amendment to Shays-Meehan in committee and the majority decided that they did not want to have it be a part of the Shays-Meehan package.

The plain English of where we are tonight is embodied in the rule that the majority created to govern this debate, that is that this is not an amendment to Shays-Meehan, this is a substitute. All too often some are eager to take a substitute over the real McCoy or, in this case, the real Shays-Meehan.

A substitute just will not do, because what we have come to understand even here in this House is that the time has come to reform our campaign finance laws. It is embodied in this bipartisan approach, and the only way that we can get to the Shays-Meehan approach, which a majority of us agree on, is that we have to move the substitutes aside and focus on the real reform that is embodied in the base bill that we will have a chance to vote on once we dispose of the Thomas amendment.

Now, I have a great deal of respect for the chairman of my committee, and I think that the suggestions that are offered are something that all of us can work towards, and that is why I offered it as an amendment to Shays-Meehan. Maybe now, after we dispose of it tonight, we will find another way on another day when we can get to it, but those who want to point at tomorrow as some far off day have to look at their own actions when they had the opportunity to take these suggestions and embody them in the vehicle that this House passed last year and will pass again tonight.

When we want to clean up the creek, we have to get the hogs out of the water first. We, in order to get to Shays-Meehan, have to remove these substitutes out of our way. We have to keep our eyes on the prize. I would ask my colleagues to say no to the Thomas substitute so that we can focus in on real campaign reform.

Mr. THOMAS. Tomorrow, tomorrow.

Mr. Chairman, it is my pleasure to yield 4 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

☐ 2245

Mrs. NORTHUP. Mr. Chairman, since I was elected to Congress, I have been so surprised at so much that has gone on in our campaign finance regulation or reform debates. All over we hear people talk about the influence of money. That surprises me. First of all, we all know that it is already illegal to trade campaign promises for money that would come into our campaigns. Even after we are elected, it is illegal to vote because somebody gave us money in the campaign.

I am probably one of the most expensive campaigns year in and year out that are run in this House, $1.8 million in my last election. I almost cannot cast a vote on the House floor without looking a good number of my supporters in the eye and saying, I am sorry, I do not agree with you on this issue. I cannot support you. I am going to vote against you. They knew I would do that when they supported me. They supported me because they believed that I would know the issue, that we shared a common perspective about public policy, and that I would always do my best.

If I ever got into specifics, there would always be groups on both side of every issue. I find it very comfortable to look people in the eye and say, this is an area where I do not agree with you. So I always have to wonder, people who talk about influence peddling, about being compromised by the contributions that are received, do they have trouble voting their conscience because of the people that give to them? Do they find that they cannot exercise what they really believe is in the best interests of their constituents because they get campaign contributions?

I believe if Members have that problem, that nothing we do on the floor of the House tonight will change that and give these Members a backbone, because the fact is that if the Republican party comes in and does soft money ads for me and I feel that I would be compromised, a human being that would write me a check for $1,000 would intimidate me even more.

So the fact is that we can shut off all the soft money, we can shut off what my party does. But if we have people on this floor in the vote in the next hour that feel intimidated by campaign contributions, contributions of $200 of $500 or of $1,000 are going to make them shake when they have to vote against the people who gave them that.

So whether or not Members are influenced by money is a matter of their conscience. It is a matter of their backbone. It is a matter of their courage. It is a matter of believing that Members are here always to rise above any one person's best interests and do what is right for this country.

I believe that this bill, the Shays-Meehan bill, would profoundly increase

the corruption of money in politics because right now the majority of campaigns are run with hard money, money that we go from person to person and ask for, money that every voter knows where I got the money from and knows every way I spent it.

We all know why Shays-Meehan refused to tie the constitutionality of soft money from parties and special interest groups, but what we will do is we will have the millions of people that seek to influence elections, care about who is elected, care that somebody that represents their perspective is elected instead of giving it to the parties, they are going to find some independent group.

Next year if China decides that they care about who is elected, if China decides that they care about influencing the election, they will not be able to give it to the Democratic National Committee. Instead, they are going to have to find Mainstream America or some other special interest group that never has to say where one penny comes from, never says where one penny goes, and we will not know that that is who influenced the election.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Delaware (Mr. CASTLE), the formor Governor and a Member of the House.

Mr. CASTLE. Mr. Chairman, I thank the gentleman very much for yielding time to me.

I would like to thank other people, including the chairman, the gentleman from Ohio (Mr. HOBSON) for the wonderful job he has done throughout this day and evening in dealing with this legislation.

I would like to thank the Speaker of the House. Some of us may not have liked the rule originally, but without what he did in allowing it to come to the floor, we would not be here.

I would like to congratulate the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), not necessarily because they may pass this bill tonight, and I hope they will, I support the legislation, but because of the manner in which they have prepared for this and handled this debate.

I also thank the gentleman from California (Mr. THOMAS), who I think actually has a good piece of legislation here, although maybe not in the right process in terms of how we should do it; and the gentleman from Arkansas (Mr. HUTCHINSON), obviously, and the gentleman from California (Mr. DOOLITTLE), and everyone else who sponsored the amendments.

Every once in a while there is an enlightening debate. This is one that has been bipartisan. All of us have learned a lot. We have had a chance to listen in on it. For that, I think we should all be thankful.

We really have to know what we are doing here. We have to be very careful. There is nothing in my mind that is objectionable at all in the Thomas substitute, but it is just that, it is a substitute. It means that it is the end of Shays-Meehan.

We have been voting all night to protect Shays-Meehan, because it is important that we get it passed. We have to remember that when we cast this vote. We could easily go back and pick up the Thomas substitute. We could have done it as an amendment, as a matter of fact, if the Committee on Rules had allowed it, and certainly could do it in the future.

We have heard a lot of different presentations here tonight. I do not know what the influence of money really is, but I do get frankly quite concerned when I read that large corporations and large labor unions and people of various interests with legislation before this body are all of a sudden giving to the parties amounts of money that are in excess of $100,000, $200,000, even in some cases $300,000. It has to make everybody stop and think, they are giving it for some reason. It is not because they are necessarily interested in charity, they are interested in their own bottom line.

I think this body is made up of people of full ethics, people who are good people, but I think we have to make this change. I would encourage each and every one of us to support Shays-Meehan. I think it will pass the Senate and will become the law of this country.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. CROWLEY), president of the freshman class on our side.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Thomas substitute, as it does not represent real reform. Mr. Chairman, our campaign system is broken and needs urgent reforms and not nip and tuck around-the-edge solutions offered by the honorable chairman, the gentleman from California (Mr. THOMAS).

Although the Thomas substitute contains some important reforms of the Federal Elections Commission, it does nothing to reform our political system, nothing to rein in those deceptive issue ads, nothing to eliminate the old powerful role of soft money in our political campaigns, and nothing to restore the faith of Americans in our political system.

We are here today to debate the campaign finance reform, real campaign finance reform. the Thomas substitute is not campaign finance reform. There was only one bill on the floor this evening which will accomplish these tasks, the Shays-Meehan reform bill.

Reform is demanded by our constituents. Let us vote for real reform today. Oppose the Thomas substitute and support the Shays-Meehan reform bill.

Mr. HOYER. Mr. Chairman, the gentleman from Maryland is very proud to yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who is back in the Chamber and who has done such an extraordinary job on this piece of legislation through the years.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding time to me.

It has been a long evening. In fact, it has been a long battle going back over the last few years. We have been able to work, Democrats and Republicans, to form a bipartisan coalition, and I would like to take this opportunity to thank so many of the Members of this House who have made it possible.

I think back to the debate last year, when many of the Members had the Commission bill, and how cooperative they were to join with the sponsors of Shays-Meehan to unite our effort to add the Commission bill to the Shays-Meehan bill.

I think of how critical it was when the Democratic leadership, the gentleman from Missouri (Mr. GEPHARDT), the gentleman from Michigan (Mr. BONIOR), the gentleman from Maryland (Mr. HOYER), and others, joined with this effort and have whipped so effectively the Democratic Members of this House. I want to thank them for their efforts.

I want to thank the gentleman from Connecticut (Mr. SHAYS), the gentleman from Tennessee (Mr. WAMP), the gentlewoman from New Jersey (Mrs. ROUKEMA), and all of the Members of the Republican party who have worked so diligently. I thank all of them, as well.

The hour is late. I think it is clear from the way the votes have been going that the Members of this House are ready to take the extraordinary step to pass bipartisan, bicameral campaign finance reform. As I said earlier, it only happens once in a generation. It is an extremely difficult issue to get Members of both sides of the aisle to work together on, but we have done it.

The gentleman from California (Mr. THOMAS) has a substitute that, frankly, we could pass in a suspension on Monday or Tuesday of next week. It is not real campaign finance reform, but under the rule, if Members vote for this, it will kill our opportunity, our golden opportunity, this evening.

So I think it is clear to the membership that they have to vote no on the Thomas substitute, and if the gentleman from California (Mr. THOMAS) and others are willing, we should take it up at a later date, pass it under a suspension. I am sure it would get 350 to 420 votes.

But now is the time, the hour is late, to pass campaign finance reform. I thank all of the Members who have been involved in this debate. I thank the gentleman from Maryland (Mr. HOYER) for his leadership on the committee. I again thank the Members for their extraordinary effort on this historic vote for real, comprehensive campaign finance reform.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume.

I would tell the chairman, it is amazing how many people are willing to do something that could become law tomorrow.

Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from

Michigan (Mr. EHLERS) from the committee.

Mr. EHLERS. Mr. Chairman, I thank the gentleman from California, the sponsor of the substitute, for yielding time to me. My only regret is he did such a masterful job of introducing his substitute that he has left very little to say. It is clearly a very good substitute. It is a very good piece of legislation and something we should pass.

Mr. Chairman, let me add just a few comments about that. First of all, let us be pragmatic. As Members have heard a number of Members say, we passed this bill, the Shays-Meehan bill, last year. The Senate did not. We may pass it tonight. The Senate is unlikely to pass it. Let us pass something that will make a difference. Let us be pragmatic and vote for the Thomas substitute, and get something passed that will in fact make a difference.

Furthermore, it is badly needed. I was just chatting with a member of my staff tonight. Less than 10 years ago he was working for a Member of Congress and they were answering all their mail with Selectric typewriters. My comment was, no wonder that Member lost his election. The times passed him by.

The times have passed our current election law by and we have not corrected it. The gentleman from California (Mr. THOMAS) gave a list of all things that should be changed. I was astounded when I was elected to this House and found a totally antiquated computer system, and Speaker Gingrich asked me to work with the gentleman from California (Mr. THOMAS) in updating it.

We have done that. Today all the Members of the House enjoy a marvelous computer system. They are on the Internet, they have websites. Yet, they are not willing to vote for a bill that will make a difference, that will put the FEC online, put all our contributions online immediately, in a direct fashion, and bring the system up to date.

Let us be pragmatic. Let us vote for something that will work. Let us update current election law. Let us vote for the Thomas substitute and get this done.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, the problem with the Thomas substitute is not its wording, it is its motivation. It is a cynical ploy to kill substantive campaign finance reform.

We live in the greatest democracy in the history of western civilization, but it is not a true democracy as long as the wealthiest people and organizations in this country can have undue influence upon the elections and the votes of this body. We need substantive campaign finance reform, and we know it is what the people want. There is only one reason we do not do it, and it is the wrong reason.

□ 2300

Since we began debating campaign finance reform years ago, millions of people, for example, have died as a result of tobacco smoking. We would not address the targeting of teenage smokers. Why? Not because many Members had tobacco growers in their district. That was not the reason. It is because we have tobacco money in our pockets.

I could give any number of reasons, whether it be health care reform, insurance reform, tort reform, any number of issues. Do what the American people want. Restore a true democracy. Vote for Shays-Meehan and reject the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has worked so hard, so diligently, and so effectively on behalf of this legislation.

Mr. SHAYS. Mr. Chairman, when I woke up this morning, I tried to prepare myself for the fact that we might lose. There were seven amendments that would kill us, and there are three substitutes that would replace us.

I thought it is up to each and every one of us just to make our decisions, and we can live with the results. But we are so close. We have to defeat this substitute. It is a good amendment as a perfecting amendment. As a substitute, it kills us. So we have to kill it.

I just would want to say to all of my colleagues that this has been a bipartisan effort, and it has been a tremendous pleasure. I remember working with the gentleman from Maryland (Mr. HOYER) when we tried to pass congressional accountability. It took us 6 years. We did not say after the second year we were going to give up. We did it on a bipartisan basis. I was proud of how we passed it. We got Congress under all of the laws.

We are going to have campaign finance reform. I hope it is in the form we are suggesting, but we are going to see it happen. We are not going to give up on the Senate.

We have got to ban soft money. It is just a perversion that is distorting the whole system. It is allowing corporations and labor unions to give unlimited sums and work their will in a way that should not happen.

We have got to call those sham issue ads what they are, campaign ads, so we have disclosure and not have corporate money and union dues money flowing in.

We need FEC enforcement and disclosure which our bill does, and then we have a commission to look at some of the things that we do not do.

This is a sensible bill. It is not a radical bill. We have only passed it once. I hope we do it again and send it to the Senate. Then we have a year to work on the Senate to try to get them to do the right thing. Fifty-two have already agreed, and hopefully we will get that 60.

Mr. THOMAS. Mr. Chairman, I yield 1¾ minutes to the gentleman from Florida (Mr. MICA), a member of the committee.

Mr. MICA. Mr. Chairman, my favorite book is entitled the Miracle at Philadelphia. It is a story of the development of this book called the Constitution of the United States. I highly recommend it to my colleagues. It outlines the development of the structure of our government that gives us the ability to debate, to act, this wonderful framework under which this Congress operates.

This week, 212 years ago, our Founding Fathers finished this document. When they finished the structure, the next thing that they did was they immediately passed 10 rights, fundamental rights for the people of this country.

The first right, not the second, third, fourth or tenth, is the freedom of speech. There is only one thing wrong with Shays-Meehan. It shreds the Constitution and that first precious amendment. That is the basic flaw with Shays-Meehan.

So our committee brought together reforms recommended by everyone, by the FEC, and others, things that are doable, things that are within the law, within the Constitution, and within the framework of our government. That is what we presented.

Let me read what the ACLU says about this Thomas substitute:

> This substitute is far superior to Shays-Meehan in many respects because of the absence of provisions that offend the constitutional rights and that H.R. 417, Shays-Meehan, contains the harshest and most unconstitutional controls on issue advocacy groups.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) congratulated the gentleman from Massachusetts (Mr. MEEHAN). The congratulations should have been listened to carefully. He said he has done a great job through the years. We can continue to do this. We can continue to make wonderful statements. We can continue to come up with a new idea, which is the most recent threat to the republic. It used to be PACs. Now it is soft money. It will be something else in the future. It will always be just beyond the horizon. It will always be an issue. That is fairly clear.

I tell the gentleman from Virginia, I did not offer this substitute for cynical reasons. I offered it in case anybody really wanted to change the law. That is our chance tonight.

The Democrats had a majority in the House, had a majority in the Senate, and had the Presidency from 1992 to 1994. What did they do? They did not change the law.

We have an opportunity tonight in fundamental and real ways to change the election laws of this country. My colleagues can do it by voting for the Thomas substitute. If my colleagues want to make a political statement, as we have done year after year after year, I am sure the gentleman from Massachusetts (Mr. MEEHAN) will take those congratulations of his efforts over the years. I would much rather

change the law. We can do it tonight. Vote ''yes'' on the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, so we come to this hour. There will be a subsequent vote on final passage of Shays-Meehan, but this is the critical vote. This vote will determine whether years of hard work and commitment will be realized through the effective passage of legislation to reform campaign finance.

Yes, there is another day for the Thomas substitute. It is a noncontroversial piece of legislation. But it is not campaign finance reform, although it has some aspects of that. It is, in fact, reform of the process of the FEC. That process needs reforming. I would even ask perhaps for unanimous consent that we place this on the consent calendar tomorrow. I will not do that, but I suggest that it could happen.

Now, at this late hour, before day's end, before the clock strikes 12, we can pass meaningful campaign finance reform. But in order to do that, we must reject the Thomas legislation, which, as the gentleman from Florida (Mr. DAVIS) clearly posited, was a device to defeat a bill that the Chairman does not like. I accept that. But no one ought to misunderstand what the Thomas substitute is, a device to defeat Shays-Meehan.

It ought, therefore, to be rejected, so that we can honestly fulfill the Speaker's pledge, which was a pledge to vote on Shays-Meehan, not merely to bring it to the floor so that opponents could, by some procedural device, dispose of it before we had a chance to vote on it. But let us, as we were elected to do, make a decision. Let us vote on Shays-Meehan, and say to the American people ''This is where we stand on preventing soft money, on precluding sham ads, and on providing for a system that is more open and more fair to the American public,'' so that the cynicism that now abounds can, to some degree at least, be diminished, and the American public can have more faith in their political system and, yes, in us.

I urge a ''no'' vote on the Thomas substitute and a ''yes'' vote on Shays-Meehan, which is meaningful, important, campaign finance reform.

☐ 2310

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. THOMAS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 256, not voting 5, as follows:

[Roll No. 421]

AYES—173

Aderholt	Gekas	Peterson (MN)
Archer	Gibbons	Peterson (PA)
Armey	Goode	Petri
Bachus	Goodlatte	Pickering
Baker	Goss	Pitts
Ballenger	Granger	Pombo
Barr	Green (WI)	Portman
Bartlett	Gutknecht	Radanovich
Barton	Hall (TX)	Reynolds
Bateman	Hansen	Riley
Biggert	Hastert	Rogan
Bilirakis	Hastings (WA)	Rogers
Bishop	Hayes	Rohrabacher
Bliley	Hayworth	Royce
Blunt	Hefley	Ryan (WI)
Boehner	Herger	Ryun (KS)
Bonilla	Hill (MT)	Salmon
Bono	Hilleary	Scarborough
Brady (TX)	Hobson	Schaffer
Bryant	Hoekstra	Sensenbrenner
Burr	Hostettler	Sessions
Burton	Hulshof	Shadegg
Buyer	Hunter	Sherwood
Callahan	Hutchinson	Shimkus
Calvert	Hyde	Shuster
Camp	Isakson	Simpson
Canady	Istook	Smith (MI)
Cannon	John	Smith (NJ)
Chabot	Johnson, Sam	Smith (TX)
Chambliss	Jones (NC)	Souder
Chenoweth	Kasich	Spence
Coble	Knollenberg	Stearns
Coburn	Kolbe	Stump
Collins	Largent	Sununu
Combest	Latham	Sweeney
Cook	Lewis (CA)	Talent
Cooksey	Lewis (KY)	Tancredo
Cox	Linder	Tauzin
Crane	Lucas (OK)	Taylor (NC)
Cubin	Manzullo	Terry
Cunningham	McCollum	Thomas
Davis (VA)	McCrery	Thornberry
DeLay	McInnis	Thune
DeMint	McIntosh	Tiahrt
Diaz-Balart	McKeon	Toomey
Doolittle	Mica	Vitter
Dreier	Miller (FL)	Walden
Dunn	Miller, Gary	Watkins
Ehlers	Moran (KS)	Watts (OK)
Ehrlich	Myrick	Weldon (FL)
Emerson	Nethercutt	Weldon (PA)
English	Ney	Weller
Everett	Northup	Whitfield
Ewing	Norwood	Wicker
Fletcher	Oxley	Wilson
Fossella	Packard	Young (AK)
Fowler	Paul	Young (FL)
Gallegly	Pease	

NOES—256

Abercrombie	Clayton	Forbes
Ackerman	Clement	Ford
Allen	Clyburn	Frank (MA)
Andrews	Condit	Franks (NJ)
Baird	Conyers	Frelinghuysen
Baldacci	Costello	Frost
Baldwin	Coyne	Ganske
Barcia	Cramer	Gejdenson
Barrett (NE)	Crowley	Gephardt
Barrett (WI)	Cummings	Gilchrest
Bass	Danner	Gillmor
Becerra	Davis (FL)	Gilman
Bentsen	Davis (IL)	Gonzalez
Bereuter	Deal	Goodling
Berkley	DeFazio	Gordon
Berman	DeGette	Graham
Berry	Delahunt	Green (TX)
Bilbray	DeLauro	Greenwood
Blagojevich	Deutsch	Gutierrez
Blumenauer	Dickey	Hall (OH)
Boehlert	Dicks	Hill (IN)
Bonior	Dingell	Hilliard
Borski	Dixon	Hinchey
Boswell	Doggett	Hinojosa
Boucher	Dooley	Hoeffel
Boyd	Doyle	Holden
Brady (PA)	Duncan	Holt
Brown (FL)	Edwards	Hooley
Brown (OH)	Engel	Horn
Campbell	Eshoo	Houghton
Capps	Etheridge	Hoyer
Capuano	Evans	Inslee
Cardin	Farr	Jackson (IL)
Carson	Fattah	Jackson-Lee (TX)
Castle	Filner	
Clay	Foley	Jefferson
Jenkins	Menendez	Sanford
Johnson (CT)	Metcalf	Sawyer
Johnson, E.B.	Millender-McDonald	Saxton
Jones (OH)	Miller, George	Schakowsky
Kanjorski	Minge	Scott
Kaptur	Mink	Serrano
Kelly	Moakley	Shays
Kennedy	Mollohan	Sherman
Kildee	Moore	Shows
Kilpatrick	Moran (VA)	Sisisky
Kind (WI)	Morella	Skeen
King (NY)	Murtha	Skelton
Kleczka	Nadler	Slaughter
Klink	Napolitano	Smith (WA)
Kucinich	Neal	Snyder
Kuykendall	Nussle	Spratt
LaFalce	Oberstar	Stabenow
LaHood	Obey	Stark
Lampson	Olver	Stenholm
Lantos	Ortiz	Strickland
Larson	Ose	Stupak
LaTourette	Owens	Tanner
Lazio	Pallone	Tauscher
Leach	Pascrell	Taylor (MS)
Lee	Pastor	Thompson (CA)
Levin	Payne	Thompson (MS)
Lewis (GA)	Pelosi	Thurman
Lipinski	Phelps	Tierney
LoBiondo	Pickett	Towns
Lofgren	Pomeroy	Traficant
Lowey	Porter	Turner
Lucas (KY)	Price (NC)	Udall (CO)
Luther	Quinn	Udall (NM)
Maloney (CT)	Rahall	Upton
Maloney (NY)	Ramstad	Velazquez
Markey	Rangel	Vento
Martinez	Regula	Visclosky
Mascara	Reyes	Walsh
Matsui	Rivers	Wamp
McCarthy (MO)	Rodriguez	Waters
McCarthy (NY)	Roemer	Watt (NC)
McDermott	Rothman	Waxman
McGovern	Roukema	Weiner
McHugh	Roybal-Allard	Wexler
McIntyre	Rush	Weygand
McKinney	Sabo	Wise
McNulty	Sanchez	Wolf
Meehan	Sanders	Woolsey
Meek (FL)	Sandlin	Wu
Meeks (NY)		Wynn

NOT VOTING—5

Hastings (FL)	Pryce (OH)	Shaw
Kingston	Ros-Lehtinen	

☐ 2330

Mr. WYNN and Mr. GOODLING changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. Hobson, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, pursuant to House Resolution 283, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 252, nays 177, not voting 5, as follows:

[Roll No. 422]

YEAS—252

Abercrombie	Frelinghuysen	McNulty
Ackerman	Frost	Meehan
Allen	Gallegly	Meek (FL)
Andrews	Ganske	Meeks (NY)
Bachus	Gejdenson	Menendez
Baird	Gephardt	Metcalf
Baldacci	Gilchrest	Millender-McDonald
Baldwin	Gillmor	Miller, George
Barrett (NE)	Gilman	Minge
Barrett (WI)	Gonzalez	Moakley
Bass	Gordon	Moore
Becerra	Graham	Moran (VA)
Bentsen	Green (TX)	Morella
Bereuter	Greenwood	Nadler
Berkley	Gutierrez	Napolitano
Berman	Hall (OH)	Neal
Berry	Hill (IN)	Oberstar
Bilbray	Hill (MT)	Obey
Blagojevich	Hilliard	Olver
Blumenauer	Hinchey	Ortiz
Boehlert	Hinojosa	Ose
Bonior	Hoeffel	Owens
Borski	Holden	Pallone
Boswell	Holt	Pascrell
Boucher	Hooley	Pastor
Boyd	Horn	Payne
Brady (PA)	Houghton	Pelosi
Brown (FL)	Hoyer	Petri
Brown (OH)	Hulshof	Phelps
Campbell	Inslee	Pickett
Capps	Jackson (IL)	Pomeroy
Capuano	Jackson-Lee (TX)	Porter
Cardin	Jefferson	Price (NC)
Carson	Johnson (CT)	Quinn
Castle	Johnson, E. B.	Ramstad
Clay	Jones (OH)	Rangel
Clayton	Kanjorski	Regula
Clement	Kaptur	Reyes
Clyburn	Kelly	Rivers
Collins	Kennedy	Rodriguez
Condit	Kildee	Roemer
Conyers	Kilpatrick	Rothman
Cook	Kind (WI)	Roukema
Costello	Kleczka	Roybal-Allard
Coyne	Klink	Rush
Cramer	Kucinich	Sabo
Crowley	Kuykendall	Sanchez
Cummings	LaFalce	Sanders
Danner	Lampson	Sandlin
Davis (FL)	Lantos	Sanford
Davis (IL)	Larson	Sawyer
Deal	LaTourette	Saxton
DeFazio	Lazio	Schakowsky
DeGette	Leach	Serrano
Delahunt	Lee	Shays
DeLauro	Levin	Sherman
Deutsch	Lewis (GA)	Shimkus
Dicks	Lipinski	Shows
Dingell	LoBiondo	Sisisky
Dixon	Lofgren	Skelton
Doggett	Lowey	Slaughter
Dooley	Lucas (KY)	Smith (MI)
Doyle	Luther	Smith (WA)
Duncan	Maloney (CT)	Snyder
Edwards	Maloney (NY)	Spratt
Engel	Markey	Stabenow
Eshoo	Martinez	Stark
Etheridge	Mascara	Stenholm
Evans	Matsui	Strickland
Farr	McCarthy (MO)	Tanner
Fattah	McCarthy (NY)	Tauscher
Filner	McDermott	Taylor (MS)
Foley	McGovern	Thompson (CA)
Forbes	McHugh	Thompson (MS)
Ford	McIntyre	Thune
Frank (MA)	McKinney	Thurman
Franks (NJ)	Tierney	Visclosky
Towns	Walsh	Wexler
Turner	Wamp	Weygand
Udall (CO)	Waters	Wise
Udall (NM)	Watt (NC)	Wolf
Upton	Waxman	Woolsey
Velazquez	Weiner	Wu
Vento	Weldon (PA)	Wynn

NAYS—177

Aderholt	Goodlatte	Paul
Archer	Goodling	Pease
Armey	Goss	Peterson (MN)
Baker	Granger	Peterson (PA)
Ballenger	Green (WI)	Pickering
Barcia	Gutknecht	Pitts
Barr	Hall (TX)	Pombo
Bartlett	Hansen	Portman
Barton	Hastert	Radanovich
Bateman	Hastings (WA)	Rahall
Biggert	Hayes	Reynolds
Bilirakis	Hayworth	Riley
Bishop	Hefley	Rogan
Bliley	Herger	Rogers
Blunt	Hilleary	Rohrabacher
Boehner	Hobson	Royce
Bonilla	Hoekstra	Ryan (WI)
Bono	Hostettler	Ryun (KS)
Brady (TX)	Hunter	Salmon
Bryant	Hutchinson	Scarborough
Burr	Hyde	Schaffer
Burton	Isakson	Scott
Buyer	Istook	Sensenbrenner
Callahan	Jenkins	Sessions
Calvert	John	Shadegg
Camp	Johnson, Sam	Sherwood
Canady	Jones (NC)	Shuster
Cannon	Kasich	Simpson
Chabot	King (NY)	Skeen
Chambliss	Knollenberg	Smith (NJ)
Chenoweth	Kolbe	Smith (TX)
Coble	LaHood	Souder
Coburn	Largent	Spence
Combest	Latham	Stearns
Cooksey	Lewis (CA)	Stump
Cox	Lewis (KY)	Stupak
Crane	Linder	Sununu
Cubin	Lucas (OK)	Sweeney
Cunningham	Manzullo	Talent
Davis (VA)	McCollum	Tancredo
DeLay	McCrery	Tauzin
DeMint	McInnis	Taylor (NC)
Diaz-Balart	McIntosh	Terry
Dickey	McKeon	Thomas
Doolittle	Mica	Thornberry
Dreier	Miller (FL)	Tiahrt
Dunn	Miller, Gary	Toomey
Ehlers	Mink	Traficant
Ehrlich	Mollohan	Vitter
Emerson	Moran (KS)	Walden
English	Murtha	Watkins
Everett	Myrick	Watts (OK)
Ewing	Nethercutt	Weldon (FL)
Fletcher	Ney	Weller
Fossella	Northup	Whitfield
Fowler	Norwood	Wicker
Gekas	Nussle	Wilson
Gibbons	Oxley	Young (AK)
Goode	Packard	Young (FL)

NOT VOTING—5

Hastings (FL)	Pryce (OH)	Shaw
Kingston	Ros-Lehtinen	

□ 2347

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SESSIONS. 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. 417, the bill just passed.

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

There was no objection.

CONSIDERING MEMBER AS PRIMARY SPONSOR OF H.R. 88

Mr. HOLT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the primary sponsor of H.R. 88, a bill originally introduced by our esteemed former colleague, Representative Brown of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–322) on the resolution (H. Res. 291) waiving points of order against the conference report to accompany the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF ADDITIONAL CONFEREES ON S. 900, FINANCIAL SERVICES MODERNIZATION ACT OF 1999

The SPEAKER pro tempore. Without objection, the Chair appoints the following additional conferees on S. 900, Financial Services Act of 1999:

From the Committee on Banking and Financial Services, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mr. KING is appointed in lieu of Mr. BACHUS.

Mr. ROYCE is appointed in lieu of Mr. CASTLE.

From the Committee on Commerce, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mrs. WILSON is appointed in lieu of Mr. LARGENT.

Mr. FOSSELLA is appointed in lieu of Mr. BILBRAY.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

□ 2350

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBERS OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following resignation as a member of the

Commission on Security and Cooperation in Europe:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I hereby submit my resignation, effective immediately, from the Commission on Security and Cooperation in Europe. I very much appreciate the honor of serving on this important panel and look forward to supporting its vital work as a Member of Congress.

Sincerely,

EDWARD J. MARKEY,
Member of Congress.

The SPEAKER pro tempore. Without objection ,and pursuant to section 3 of Public Law 94–304 as amended by section 1 of Public Law 99–7, the Chair announces the Speaker's appointment of the following Members of the House to the Commission on Security and Cooperation in Europe to fill the existing vacancy thereon:

Mr. PITTS of Pennsylvania, and upon the recommendation of the minority leader Mr. FORBES of New York.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). 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.

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

(Mr. PALLONE 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 gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FATTAH (at the request of Mr. GEPHARDT) for before 3 p.m. today on account of personal reasons.

Mr. HASTINGS of Florida (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. SHAW (at the request of Mr. ARMEY) for today on account of official business.

Mr. PORTER (at the request of Mr. ARMEY) for September 13 and until 7 p.m. today on account of a family emergency.

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 Mr. HOYER) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

(The following Members (at the request of Mr. SESSIONS) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, September 15.

Mr. HULSHOF, for 5 minutes, September 16.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 457. To amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with servicing as an organ donor, and for other purposes.

ADJOURNMENT

Mr. SWEENEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 15, 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:

4120. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Changes to Pack Requirements [Docket No. FV99–906–3 IFR] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4121. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Importation of Gypsy Moth Host Material From Canada [Docket No. 98–110–1] (RIN: 0579–AB11) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4122. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106–122); to the Committee on Appropriations and ordered to be printed.

4123. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Taxpayer Identification Numbers and Commercial and Government Entity Codes [DFARS Case 98–D027] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4124. A letter from the Acting Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, transmitting the Department's final rule—Improving and Eliminating Regulations; Calibration and Maintenance Procedures for Coal Mine Respirable Dust Samplers (RIN: 1219–AA98) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4125. A letter from the Acting Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, transmitting the Department's final rule—Improving and Eliminating Regulations; Lighting Equipment, Coal Dust/Rock Dust Analyzers, and Methane Detectors (RIN: 1219–AA98) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4126. A letter from the Assistant General Counsel for Regulatory Law, Office of the Chief Information Officer, Department of Energy, transmitting the Department's final rule—Unclassified Cyber Security Program [DOE N 20 5.1] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4127. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Use of Facility Contrator Employees for Services to DOE in the Washington, DC Area [DOE N 350.5] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4128. A letter from the Assistant General Counsel for Regulatory Law, Assistant Secretary for Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—External Dosimetry Program Guide [DOE G 441.1–4] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4129. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—State Energy Program [Docket No. EE-RM–96–402] (RIN: 1904–AB01) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4130. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Posting and Labeling for Radiological Control Guide; to the Committee on Commerce.

4131. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Occupational Radiation Protection Record-Keeping and Reporting Guide; to the Committee on Commerce.

4132. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting Safety of Accelerator Facilities; to the Committee on Commerce.

4133. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Evaluation and Control of Radiation Dose to the Embryo/

Fetus Guide; to the Committee on Commerce.

4134. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Radiation-Generating Devices Guide; to the Committee on Commerce.

4135. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Work Authorization System; to the Committee on Commerce.

4136. A letter from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—Certification Renewal and Amendment Processes (RIN: 3150–AF85) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4137. A letter from the Director, Office of Congressional Affairs, Office of the Chief Information Officer, Nuclear Regulatory Commission, transmitting the Commission's final rule—Electronic Availability of NRC Public Records and Ending of NRC Local Public Document Room Program (RIN: 3150–AG07) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4138. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Electronic Freedom of Information Act [Docket No. 99–034F] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4139. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN–129–FOR; State Program Amendment No. 98–2] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4140. A letter from the Associate Chief Counsel, Federal Highway Administration, Department of Transporation, transmitting the Department's final rule—Parts and Accessories Necessary For Safe Operation; Rear Impact Guards and Rear Impact Protection [FHWA Docket No. FHWA–97–3201] (RIN: 2125–AE15) received August 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4141. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Standard Measurement System Exemption from Gross Tonnage [USGC–1999–5118] (RIN: 2115–AF76) received August 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4142. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Update of Standards from the American Society for Testing and Materials (ASTM) [USCG–1999–5151] (RIN: 2115–AF80) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4143. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Chevron Oil Company Canal, LA [CGD08–99–055] (RIN: 2115–AE47) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4144. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: City of Yonkers Fireworks, New York, Hudson River [CGD01–99–154] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4145. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Normal Category Rotorcraft Maximum Weight and Passenger Seat Limitation [Docket No. 29247; Amendment No. 27–37] (RIN: 2120–AF33) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4146. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Periphonics Corp. 30th Anniversary Fireworks, New York Harbor, Upper Bay [CGD01–99–152] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4147. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, Southeast of Narrow Cape, Kodiak Island, Alaska [COTP Western Alaska-99–012] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4148. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fireworks, 100YR Anniversary For Architect Society, Boston Harbor, Boston, MA [CGD01–99–147] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4149. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Mystic River, CT [CGD01–99–159] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4150. A letter from the Chief, Office of Regulations and Administrative, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Gowanus Canal, NY [CGD01–99–156] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4151. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone and Anchorage Regulations; Delaware Bay and River [CGD 05–99–080] (RIN: 2115–AA98) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4152. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 98–NM–69–AD; Amendment 39–11289; AD 99–18–23] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4153. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50, -80A1/A3, and -80C2A Series Turbofan Engines [Docket No. 98–ANE–54–AD; Amendment 39–11286; AD 99–18–20] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4154. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: General Electric Company CF6–80C2A Series Turbofan Engines, Installed on Airbus Industrie A300–600 and A310 Series Airplanes [Docket N0. 99–NE–41–AD; Amendment 39–11285; AD 99–18–19] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4155. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airspace and Flight Operations Requirements for the Kodak Albuquerque International Balloon Fiesta; Albuquerque, NM [Docket No. 29279; SFAR No. 86] (RIN: 2120–AG79) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4156. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Emmetsburg, IA [Airspace Docket No. 99–ACE–39] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4157. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Name Change of Guam Island, Agnas NAS, GU Class D Airspace Area [Airspace Docket No. 99–AWP–9] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4158. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Herrington, KS [Airspace Docket No. 99–ACE–41] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4159. A letter from the Attorney Advisor, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Chemical Oxidizers and Compressed Oxygen Aboard Aircraft [Docket No. HM–224A] (RIN: 2137–AC92) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4160. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Change Using Agency for Restricted Areas R–2510A and R–2510B; El Centro, CA [Airspace Docket No. 99–AWP–18] (RIN: 2120–AA66) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GILMAN: Committee on International Relations. H.R. 1883. A bill to provide for the application of measures to foreign persons

who transfer to Iran certain goods, services, or technology, and for other purposes; with an amendment (Rept. 106–315, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 288. Resolution waiving points of order against the conference report to accompany the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. 106–316). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 289. Resolution providing for consideration of the bill (H.R. 1655) to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy, and for other purposes. (Rept. 106–317). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 290. Resolution providing for consideration of the bill (H.R. 1551) to authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, and for other purposes (Rept. 106–318). Referred to the House Calendar.

Mr. KOLBE: Committee of Conference. Conference report on H.R. 2490. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–319). Ordered to be printed.

Mr. HYDE: Committee on the Judiciary. H.R. 1875. A bill to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions; with an amendment (Rept. 106–320). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1788. A bill to deny Federal public benefits to individuals who participated in Nazi persecution (Rept. 106–321 Pt. 1). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 291. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–322). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Science discharged. H.R. 1883 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1788. Referral to the Committee on Government Reform extended for a period ending not later than October 1, 1999.

H.R. 1883. Referral to the Committee on Science extended for a period ending not later than September 14, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BILBRAY:

H.R. 2849. A bill to authorize appropriations to reimburse States for costs of educating certain illegal alien students; to the Committee on Education and the Workforce.

By Mr. BARRETT of Nebraska (for himself and Mr. MCKEON):

H.R. 2850. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2000, 2001, 2002, 2003, and 2004, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2851. A bill to direct the United States Executive Directors at the International Bank for Reconstruction and Development and the International Monetary Fund to encourage their respective institutions to require countries receiving assistance from such institutions to use the portion of the assistance attributable to United States contributions to obtain goods and services produced in the United States; to the Committee on Banking and Financial Services.

By Mr. ANDREWS:

H.R. 2852. A bill to amend title XIX of the Social Security Act to require the prorating of Medicaid beneficiary contributions in the case of partial coverage of nursing facility services during a month; to the Committee on Commerce.

By Mr. ANDREWS:

H.R. 2853. A bill to amend title 28, United States Code, to provide for individuals serving as Federal jurors to continue to receive their normal average wage or salary during such service; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2854. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States for permanent residence without numerical limitation of spouses of permanent resident aliens; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2855. A bill to amend the Social Security Act to require that anticipated child support be held in trust on the sale or refinancing of certain real property of an obligated parent; to the Committee on Ways and Means.

By Mr. CANNON:

H.R. 2856. A bill to amend the Fair Credit Reporting Act to require the disclosure of all information in a consumer's file, including credit scores, risk scores, and any other predictors; to the Committee on Banking and Financial Services.

By Mr. DOOLITTLE (for himself, Mr. HERGER, Mr. POMBO, and Mr. RADANOVICH):

H.R. 2857. A bill to amend the Wild and Scenic Rivers Act to ensure congressional involvement in the process by which rivers that are designated as wild, scenic, or recreational rivers by an act of the legislature of the State or States through which they flow may be included in the national wild and scenic rivers system, and for other purposes; to the Committee on Resources.

By Mr. EWING:

H.R. 2858. A bill to authorize the award of the Medal of Honor to Andrew J. SMITH for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. FRANK of Massachusetts (for himself, Mrs. LOWEY, and Mr. NADLER):

H.R. 2859. A bill to provide benefits to domestic partners of Federal employees; to the Committee on Government Reform, 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. GREEN of Wisconsin:

H.R. 2860. A bill to authorize the Secretary of Housing and Urban Development to carry out a pilot program to provide homeownership assistance to disabled families; to the Committee on Banking and Financial Services.

By Mr. GREEN of Wisconsin:

H.R. 2861. A bill to require the Secretary of the Interior to conduct a study on and develop recommendations to increase the safety of visitors to units of the National Park System; to the Committee on Resources.

By Mr. HANSEN:

H.R. 2862. A bill to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange; to the Committee on Resources.

By Mr. HANSEN:

H.R. 2863. A bill to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah; to the Committee on Resources.

By Mr. LUTHER (for himself, Ms. PELOSI, Mrs. MALONEY of New York, Mr. MINGE, Mr. SABO, Ms. BALDWIN, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. VENTO, Mr. LEWIS of Georgia, Mr. BARRETT of Wisconsin, Mr. KLECZKA, Ms. ESHOO, Mr. DOOLEY of California, Mr. RUSH, Mr. FRANK of Massachusetts, Mr. OWENS, Mr. TIERNEY, Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, Mr. STARK, Ms. JACKSON-LEE of Texas, and Ms. LEE):

H.R. 2864. A bill to amend the National Voter Registration Act of 1993 to require States to permit individuals to register to vote in an election for Federal office on the date of the election; to the Committee on House Administration.

By Ms. NORTON:

H.R. 2865. A bill to amend the Elementary and Secondary Education Act of 1965 to encourage the implementation or expansion of pre-kindergarten programs to include students 4 years of age or younger; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan:

H.R. 2866. A bill to amend the Federal Election Campaign Act of 1971 to reduce the influence of political action committees in elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Education and the Workforce, 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. TOOMEY:

H.R. 2867. A bill to amend title XVIII of the Social Security Act to facilitate the use of private contracts under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. GILMAN, Mr. LANTOS, Mr. GEJDENSON, Mr. HASTINGS of Florida, Mr. CAPUANO, Mr. GOSS, Mr. FALEOMAVAEGA, Mr. GREENWOOD, Ms. DELAURO, Mr. CROWLEY, Mr. POMBO, Mr. UNDERWOOD, Mr. MORAN of Virginia, Mr. BILBRAY, Mr. HALL of Ohio, Mr. ACKERMAN, Mr. SMITH of New Jersey, and Mr. BROWN of Ohio):

H. Res. 292. A resolution expressing the sense of the House of Representatives regarding the referendum in East Timor, calling on the Government of Indonesia to assist in the termination of the current civil unrest and violence in East Timor, and supporting a United Nations Security Council-endorsed multinational force for East Timor; to the Committee on International Relations.

By Mr. CLYBURN (for himself, Mr. BISHOP, Ms. BROWN of Florida, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DIXON, Mr. FATTAH, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JONES of Ohio, Ms. WATERS, Mr. WATT of North Carolina, and Mr. WYNN):

H. Res. 293. A resolution expressing the sense of the House of Representatives in support of ''National Historically Black Colleges and Universities Week''; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. HOBSON, Mr. MCINTYRE, Mr. VITTER, Mr. RYUN of Kansas, and Mr. KENNEDY of Rhode Island.

H.R. 38: Mr. CALVERT.

H.R. 73: Mr. BALLENGER.

H.R. 141: Mr. BARCIA.

H.R. 142: Mr. TOOMEY.

H.R. 338: Mr. PAUL.

H.R. 354: Mr. SCHAFFER.

H.R. 415: Mrs. CHRISTENSEN.

H.R. 483: Ms. DELAURO.

H.R. 494: Mr. CONDIT.

H.R. 507: Mr. HALL of Ohio, Mrs. MORELLA, and Mr. PICKETT.

H.R. 534: Mr. SKEEN, Mr. MCCOLLUM, Mr. STUMP, Mr. COMBEST, Mr. GANSKE, Mr. SUNUNU, Mr. BLUNT, Mr. WALSH, Mr. LEACH, Mr. NEY, Mr. SWEENEY, Mr. MCCRERY, and Mr. EDWARDS.

H.R. 566: Mr. STARK.

H.R. 637: Mr. SMITH of New Jersey.

H.R. 655: Mrs. LOWEY.

H.R. 664: Mr. CONYERS.

H.R. 721: Mr. HEFLEY and Mr. LAHOOD.

H.R. 725: Mr. MARTINEZ.

H.R. 743: Mr. BONILLA.

H.R. 765: Mr. WAMP, Mr. SPENCE, Mr. HEFLEY, and Mr. WOLF.

H.R. 809: Mr. MCNULTY and Mr. TERRY.

H.R. 810: Mr. BROWN of Ohio.

H.R. 815: Mr. HUTCHINSON and Mr. DEAL of Georgia.

H.R. 826: Mr. UNDERWOOD and Ms. CARSON.

H.R. 828: Mr. MCGOVERN..

H.R. 836: Mr. LUCAS of Kentucky.

H.R. 895: Mr. HINOJOSA.

H.R. 925: Mr. OLVER, Ms. CARSON, and Mr. GONZALEZ.

H.R. 960: Mr. KLINK.

H.R. 976: Mr. KING and Mrs. CHRISTENSEN.

H.R. 977: Mr. KIND.

H.R. 1006: Ms. PELOSI.

H.R. 1020: Mr. LANTOS, Mr. FORD, Mr. GORDON, Mr. KLINK, and Mrs. KELLY.

H.R. 1046: Mr. BENTSEN and Mr. GREEN of Texas.

H.R. 1077: Mr. SANDERS and Mr. METCALF.

H.R. 1102: Mr. SAM JOHNSON of Texas, Mr. WISE, and Ms. SCHAKOWSKY.

H.R. 1103: Mr. PICKETT.

H.R. 1111: Mr. COSTELLO and Mr. MOORE.

H.R. 1117: Mr. PICKERING.

H.R. 1133: Mr. OWENS.

H.R. 1180: Mr. LATOURETTE and Mr. ENGLISH.

H.R. 1194: Mr. ENGLISH.

H.R. 1195: Mr. SANDLIN.

H.R. 1196: Mrs. NAPOLITANO.

H.R. 1221: Mr. SCARBOROUGH.

H.R. 1229: Mr. WATT of North Carolina.

H.R. 1260: Mr. FILNER.

H.R. 1272: Mr. GREEN of Wisconsin.

H.R. 1288: Mr. SANDLIN and Ms. LEE.

H.R. 1304: Mr. CUMMINGS, Mr. RYUN of Kansas, Mr. UDALL of New Mexico, Mr. VITTER, Mr. GORDON, and Mr. PICKETT.

H.R. 1322: Mr. HORN.

H.R. 1324: Mr. STRICKLAND, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. MARTINEZ, Mr. KENNEDY of Rhode Island, and Mr. PAYNE.

H.R. 1325: Mr. MCGOVERN.

H.R. 1351: Mr. PAUL.

H.R. 1367: Mr. KING.

H.R. 1385: Mr. OXLEY.

H.R. 1399: Mr. BLUMENAUER, Ms. ESHOO, and Mr. DAVIS of Florida.

H.R. 1446: Mr. HOSTETTLER.

H.R. 1525: Mr. HILLIARD, Ms. LEE, Mr. SHOWS, and Mr. ACKERMAN.,

H.R. 1531: Mr. WISE, Mr. SANDERS, and Mr. SANDLIN.

H.R. 1577: Mr. DICKEY, Mr. HERGER, Mr. MICA, and Mr. SANFORD.

H.R. 1598: Mr. ISAKSON and Mr. DIAZ-BALART.

H.R. 1622: Mr. STEARNS, Mr. LANTOS, Mr. MCCOLLUM, Mr. OLVER, Mr. BOUCHER, and Mr. KUCINICH.

H.R. 1644: Mr. BARRETT of Nebraska

H.R. 1650: Mr. PETRI and Ms. KAPTUR.

H.R. 1660: Mr. TRAFICANT, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MOORE.

H.R. 1706: Mr. DOOLITTLE.

H.R. 1772: Mr. LAHOOD and Mrs. CHRISTENSEN.

H.R. 1785: Mr. PRICE of North Carolina and Mr. DICKS.

H.R. 1838: Mr. MALONEY of Connecticut, Ms. DUNN, Mr. MARTINEZ, Mr. ROGAN, Ms. PRYCE of Ohio, Mr. BACHUS, Mr. ARMEY, Mr. WYNN, Mr. FRANKS of New Jersey, Mr. NEY, Mr. DOOLITTLE, Mr. DEMINT, Mr. FROST, Mr. PAYNE, Mr. TANCREDO, and Mr. CHABOT.

H.R. 1885: Mr. MARTINEZ.

H.R. 1887: Mr. WYNN, Mrs. LOWEY, Ms. DELAURO, and Mr. CRAMER.

H.R. 1896: Mrs. MINK of Hawaii.

H.R. 1899: Mr. BARRETT of Wisconsin, Mr. UDALL of Colorado, Mrs. MORELLA, Mr. BOEHLERT, and Mrs. MEEK of Florida.

H.R. 1933: Mr. DEMINT.

H.R. 1976: Mr. SHAYS and Mr. CALVERT.

H.R. 1990: Mr. GREEN of Wisconsin and Mr. SKELTON.

H.R. 1991: Mr. COMBEST.

H.R. 1999: Mrs. LOWEY.

H.R. 2000: Mr. YOUNG of Florida, Mr. COSTELLO, Mr. BOYD, Mr. CLAY, Mr. WEINER, Mr. BAIRD, Mr HAYES, Mr. GIBBONS, Mr. CALVERT, Mrs. FOWLER, Mr. ENGEL, Mr. TURNER, Mr. KILDEE, Mr. MCCOLLUM, Mr. MCGOVERN, Mr. COYNE, Mr. GORDON, Mr. HOSTETTLER, and Mr. GALLEGLY.

H.R. 2002: Mr. HOYER.

H.R. 2005: Mr. GEKAS.

H.R. 2162: Mr. BARCIA.

H.R. 2233: Mr. BISHOP and Mr. RUSH.

H.R. 2235: Mr. FROST, Mr. SKELTON, and Mr. CLYBURN.

H.R. 2247: Mr. HERGER, Mr. BATEMAN, and Mr. LEWIS of California.

H.R. 2316: Mrs. MYRICK, Mr. BALDACCI, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. CHRISTENSEN, Ms. PELOSI, Ms. JACKSON-LEE of Texas, Mrs. CAPPS, Ms. MILLENDER-MCDONALD, Mr. BRADY of Pennsylvania, Mr. GEJDENSON, Mrs. MEEK of Florida, and Mr. TOWNS.

H.R. 2319: Mr. GALLEGLY and Mr. LAHOOD.

H.R. 2320: Mr. FLETCHER.

H.R. 2350: Mr. BARR of Georgia.

H.R. 2373: Mr. PAUL.

H.R. 2380: Mr. BLAGOJEVICH.

H.R. 2395: Mr. WALDEN of Oregon.

H.R. 2418: Mr. CALLAHAN, Mrs. KELLY, Mr. GILMAN, Mr. DEMINT, and Mrs. NORTHUP.

H.R. 2423: Mr. MANZULLO and Mrs. EMERSON.

H.R. 2436: Mr. HOSTETTLER, Mr. BRADY of Texas, Mr. SKELTON, and Mr. SCHAFFER.

H.R. 2444: Mr. KOLBE.

H.R. 2446: Mr. GUTIERREZ, Mr. ENGEL, Mrs. LOWEY, and Mr. PHELPS.

H.R. 2525: Mr. HALL of Texas and Mr. BONILLA.

H.R. 2539: Ms. MILLENDER-MCDONALD.

H.R. 2592: Mr. OXLEY.

H.R. 2628: Mr. ISTOOK.

H.R. 2640: Mr. MCHUGH and Mr. HOEKSTRA.

H.R. 2675: Mr. DOOLEY of California.

H.R. 2707: Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. KILDEE.

H.R. 2749: Mr. STEARNS, Mr. SAM JOHNSON of Texas, and Mr. HASTINGS of Florida.

H.R. 2765: Mr. BROWN of Florida,

H.R. 2822: Mr. DAVIS of Florida and Mr. PASCRELL.

H.R. 2824: Mr. BALDACCI and Mr. BURTON of Indiana.

H.J. Res. 45: Mr. PACKARD.

H.J. Res. 48: Mrs. CHENOWETH.

H. Con. Res. 79: Mr. GRAHAM and Mr. BARCIA.

H. Con. Res. 89: Mr. GUTKNECHT, Mr. RAMSTAD, and Mr. VENTO.

H. Con. Res. 162: Ms. KILPATRICK, Mr. LAZIO, Mr. REYES, and Mr. SMITH of New Jersey.

H. Res. 41: Mr. MCDERMOTT, Mr. SANDERS, and Mr. STARK.

H. Res. 82: Mr. BROWN of Ohio.

H. Res. 169: Mr. METCALF.

H. Res. 187: Mr. CROWLEY and Mr. WEXLER.

H. Res. 228: Mr. ROTHMAN.

H. Res. 239: Mr. LUCAS of Kentucky.

H. Res. 270: Mr. LUTHER.

H. Res. 285: Mr. FARR of California.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: Page 3, line 2, insert '', of which $1,000,000 shall be for the development, in coordination with the National Imagery and Mapping Agency, of a domestic and international airfield obstruction data base'' after ''projects and activities''.

Page 3, line 14, insert '', of which $9,000,000 shall be for the development, in coordination with the National Imagery and Mapping Agency, of a domestic and international airfield obstruction data base'' after ''projects and activities''.

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 2: Page 3, line 4, insert '', of which $1,000,000 shall be for implementing biometric technology security, including Iris Recognition Technology'' after ''projects and activities''.

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 3: Page 8, after line 16, insert the following new section:

SEC. 9. REPORT TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, the Federal Aviation Administration shall transmit to the Congress a report describing the results of a study of the appropriateness of requiring that airports receiving Airport Improvement Program grants provide funding for a portion of the projects for which the grants are made, with particular attention given to the burden that such requirements have on smaller airports.

H.R. 1551

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 4: Page 2, line 4, through page 3, line 25, amend section 2 to read as follows:

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4)(J);

(2) by striking the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and

(3) by adding at the end the following:

''(6) for fiscal year 2000, $208,416,100 including—

''(A) $17,269,000 for system development and infrastructure projects and activities;

''(B) $33,042,500 for capacity and air traffic management technology projects and activities;

''(C) $11,265,400 for communications, navigation, and surveillance projects and activities;

''(D) $15,765,000 for weather projects and activities;

''(E) $6,358,200 for airport technology projects and activities;

''(F) $39,639,000 for aircraft safety technology projects and activities;

''(G) $53,218,000 for system security technology projects and activities;

''(H) $26,207,000 for human factors and aviation medicine projects and activities;

''(I) $3,481,000 for environment and energy projects and activities; and

''(J) $2,171,000 for innovative/cooperative research projects and activities, of which $750,000 shall be for carrying out subsection (h) of this section; and

''(7) for fiscal year 2001, $222,950,000.''.

H.R. 1655

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: Page 17, after line 10, insert the following new subsection:

(e) ADDITIONAL AUTHORIZATION.—The Secretary shall designate $2,000,000 of the amounts authorized by this section for each fiscal year for biometric technology security, including Iris Recognition Technology.

H.R. 1655

OFFERED BY: MS. BERKLEY

AMENDMENT NO. 2: Page 36, after line 9, insert the following new section:

SEC. 18. NUCLEAR WASTE TRANSMUTATION RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall commence a program of research and development on the technology necessary to achieve onsite transmutation of nuclear waste into nonradioactive substances.

(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTERAGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

(1) ASSISTANCE.—The Secretary may award grants or contracts to, or enter into cooperative agreements with, institutions of higher education and industrial enterprises to conduct a research, development, and demonstration program on the technology necessary to achieve onsite transmutation of nuclear waste into nonradioactive substances in a manner consistent with United States environmental and nonproliferation policy. The Secretary shall not support a technology under this section that involves the isolation of plutonium or uranium.

(2) PEER REVIEW.—Funds made available under paragraph (1) for initiating contracts, grants, cooperative agreements, interagency funds transfer agreements, and field work proposals shall be made available based on a competitive selection process and a peer review of proposals. Exceptions shall be considered on a case-by-case basis, and reported by the Secretary to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 30 days prior to any such award.

(c) CONSULTATION.—The Secretary may establish an advisory panel consisting of experts from industry, institutions of higher education, and other entities as the Secretary considers appropriate, to assist in developing recommendations and priorities for the research, development, and demonstration program carried out under subsection (a).

(d) LIMITATIONS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount made available to carry out this section for a fiscal year may be used by the Secretary for expenses associated with the administration of the program carried out under subsection (a).

(2) CONSTRUCTION COSTS.—None of the funds made available to carry out this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(e) DEFINITIONS.—For purposes of this section:

(1) CONTRACT.—The term ''contract'' means a procurement contract within the meaning of section 6303 of title 31, United States Code.

(2) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' means a cooperative agreement within the meaning of section 6305 of title 31, United States Code.

(3) GRANT.—The term ''grant'' means a grant awarded under a grant agreement, within the meaning of section 6304 of title 31, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' means an institution of higher education, within the meaning of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(f) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized under section 3(a)(2)(G), $2,000,000 for fiscal year 2000 and $4,000,000 for fiscal year 2001 shall be available for carrying out this section.

H.R. 1655

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 3: Page 27, lines 9 through 19, amend paragraph (3) to read as follows:

(3) the Comptroller General reports to the Congress, on the basis of available information, that the tax reimbursements that the Comptroller General estimates the Department would pay to its contractors as a cost of constructing the Spallation Neutron Source at Oak Ridge National Laboratory in Tennessee would be no more than the tax reimbursements it would pay if the same project were constructed at the Lawrence Berkeley National Laboratory in California, the Argonne National Laboratory in Illinois, the Los Alamos National Laboratory in New Mexico, or the Brookhaven National Laboratory in New York.

Page 36, line 5, insert ''the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory,'' after ''Accelerator Laboratory,''.

Page 36, lines 8 and 9, strike ''Stanford Linear Accelerator Center, or the Thomas Jefferson National Accelerator Facility'' and insert ''Sandia National Laboratories, the Stanford Linear Accelerator Center, the Thomas Jefferson National Accelerator Facility, or the Y–12 Plant''.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, SEPTEMBER 14, 1999 *No. 119*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Father Paul Lavin, pastor of St. Joseph's on Capitol Hill, Washington, DC, will now offer the prayer.

PRAYER

The guest Chaplain, Father Paul Lavin, offered the following prayer:

In Psalm 113 we hear David sing:

Praise you servants of the Lord praise the name of the Lord
Blessed be the name of the Lord both now and forever.
From the rising to the setting of the sun is the name of the Lord to be praised.
High above all nations is the Lord, above the heavens is his glory
Who is like the Lord, Our God, who is enthroned on high
and looks upon the heavens and the earth below?
He raises up the lowly from the dust; from the dunghill he lifts up the poor
To seat them with princes, with the princes of his own people.

Let us pray:

Almighty God, we give You thanks for the many and varied ways You have blessed the men and women who serve in the Senate. We ask now, Lord, that they may do Your will in all things and so remain close to You.

Lord, Your presence is found where unity and love prevail; grant that they may strive to work together in harmony and peace.

We acknowledge that God is the strength and protector of his people; grant, Lord, to the Members of the Senate the strength and courage they need to serve the people of the United States.

We ask this through Christ, our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LARRY CRAIG, a Senator from the State of Idaho, 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Washington.

SCHEDULE

Mr. GORTON. Mr. President, today the Senate will immediately resume consideration of the second-degree Bryan-Wyden amendment regarding the Forest Service budget. By agreement, a vote on or in relation to that amendment will take place at 10:30 a.m. Further amendments to the Interior appropriations bill are expected throughout today's session. Senators, therefore, can expect votes throughout the day in anticipation of completing action on the bill. It is expected that the Senate will have approximately 2 hours of debate on S.J. Res. 33, with a vote on final passage during today's session, with the time to be determined by the two leaders.

For the remainder of the week, the Senate is expected to begin consideration of the Transportation appropriations bill.

INTERIOR APPROPRIATIONS

Mr. GORTON. Mr. President, I just read a text that was submitted to me. I am going to offer what I hope is a slight correction to that for the benefit of all Senators. I believe, as manager of the bill, it is highly possible there are only two other unresolved matters in connection with the Interior appropriations bill. One is, of course, this Bryan-Wyden amendment that will be voted on in about 1 hour. The other is cloture on the Hutchison amendment. There was a vote on that cloture last night. It failed, but it seemed to have failed primarily by reason of absent Senators. The majority leader moved to reconsider and, of course, can bring up that motion at any time.

As manager of the bill, I do not know of any other amendments that will require rollcall votes. It does not mean there might not be one or two, but I do not know of any others. We now have two managers' amendments ready: one dealing with legislative matters and one dealing with money matters, but I hope we will have settled all other outstanding issues in connection with the bill. In any event, if there are Senators who wish to bring up amendments that they reserved way back in August with respect to the bill that are not settled in these two managers' amendments, I certainly urge them to come to the floor and to be prepared to present them immediately after the 10:30 vote on the Bryan-Wyden second-degree amendment.

With that, Mr. President, I see Senator WYDEN present, I see Senator CRAIG present, and so we are ready for debate.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2466, which the clerk will report.

The bill clerk (Mary Anne Clarkson) read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton amendment No. 1359, of a technical nature.

Hutchison amendment No. 1603, to prohibit the use of funds for the purpose of issuing a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000.

Bryan amendment No. 1588, to make available certain funds, by reducing the subsidy for the below-cost timber program administered by the Forest Service and for the construction of logging roads in national forests, for other Forest Service programs including road maintenance, wildlife and fish habitat management, and for threatened, endangered, and sensitive species habitat management.

Bryan/Wyden amendment No. 1623 (to amendment No. 1588), to make available certain funds for survey and manage requirements of the Northwest Forest Plan Record of Decision.

AMENDMENT NO. 1623

The PRESIDING OFFICER. Under the previous order, the question is now on amendment 1623 on which there shall be 1 hour of debate which will be equally divided.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank the Chair. I would like to take just a few minutes now to speak on behalf of the Bryan-Fitzgerald-Wyden amendment and try to offer up to colleagues on both sides of the aisle why Senator BRYAN, Senator FITZGERALD, and I are trying to incorporate some of the important thinking that has been done by the chairman of the Interior Subcommittee, Senator GORTON, as well as the work with respect to forestry done on the floor of the Senate over the last few days by Senator ROBB of Virginia. It seems to me that Senator GORTON, as well as Senator ROBB, are making extremely important points. What Senator BRYAN, Senator FITZGERALD, and I are trying to do is build on the work done by both of our colleagues.

For example, I think Senator GORTON and Senator CRAIG are absolutely right in terms of saying that the Forest Service has lacked direction, particularly as it relates to the Pacific Northwest. They have known at the Forest Service for many months that they had to comply with each of these survey and management requirements. The Forest Service dawdled and dragged its feet. It has been literally flailing around in the woods.

I think Senator GORTON and Senator CRAIG have been absolutely right that there has been a lack of accountability and a lack of oversight with respect to the Forest Service.

At the same time, I think Senator ROBB has also been correct in terms of saying we can't just throw the environmental laws in the trash can because a Federal agency messes up. You can't just set aside the environmental laws of the United States because a Federal agency, in this case the Forest Service, has not done its job. You have to figure out a way to put this agency and this program back on track.

What the Bryan-Fitzgerald-Wyden amendment seeks to do is to get the Forest Service on track by building on some of the important work done by Senator GORTON and Senator CRAIG, as well as focusing on the environmental principles pursued by Senator ROBB.

One of the reasons I so strongly support the Bryan-Fitzgerald-Wyden amendment is we have seen in past years that throwing money at the timber sale program does not make things better. Each year, since 1996, this Congress has authorized more money for the timber sale program than the administration has asked for. So we have, in effect, shoveled more money out the door for the timber sale program.

The fact of the matter is, in spite of the fact the Congress keeps spending more money on the timber sale program, the problems in these rural communities, particularly the rural West —and these are economic and environmental problems—keep getting worse. So the notion that throwing money at the timber sale program is going to solve these problems is simply not correct. The Congress has continued to spend money. The problems are getting worse, both from an economic and an environmental standpoint. And that is the bottom line.

So what Senator BRYAN and Senator FITZGERALD and I are seeking to do is to link the money that the Forest Service needs for these important programs—not just in Oregon but across the country—to a new focus on accountability.

What our legislation does is earmark resources for the important environmental work that needs to be done and at the same time places a stringent timetable on the completion of the important environmental work. So, in effect, we have a chance to do some good by getting the environmental work done while at the same time helping timber workers and environmental concerns addressed in a responsible fashion.

We do direct additional funds for the survey and management program so we can have the protocols for the species that currently lack this data, but we do it in a way that brings new accountability. This is the first time on the floor of the Senate that we have tried to take this program, which has been so mismanaged by the Forest Service, and put in place some real accountability.

This is not the old days of just throwing money at problems. This is a new approach, a fresh and creative approach, that Senators BRYAN, FITZGERALD, and I are trying to offer which will ensure that not just in the Northwest but across the country there will be the funds that are needed for the timber sale program, but at the same time we are going to have a real process to watchdog the Forest Service to make sure they actually get the work done.

With respect to the problems that have shut down the forests in the Pacific Northwest, our amendment requires that the survey and management draft, the environmental impact statement would be completed by November 15 of this year. The final version of that impact statement would be published by February 14 of 2000.

So this gives us a chance, I say to my colleagues, to make sure the work that was promised actually gets done. We fund the timber sale program at the levels called for by the administration. We have a chance to learn from years past that just throwing money at the timber sale program does not solve things.

I hope our colleagues will realize that this bipartisan approach is a chance to solve problems, which is vitally important to rural communities not just in the West but across the country, while at the same time honoring the important environmental obligations this Congress has set out for the Forest Service and other agencies.

I do hope that however colleagues voted on the Robb amendment, whatever they think with respect to the original language proposed by Senator GORTON, they will look anew at the Bryan-Fitzgerald-Wyden amendment because what we are seeking to do is build on the important principles embodied behind both of those positions.

My two colleagues are here from the Northwest, the distinguished chairman of the subcommittee, Senator GORTON, and the chairman of the committee on which I serve, Senator CRAIG. They are absolutely right; the Forest Service has lacked direction. Under the Bryan-Fitzgerald-Wyden amendment, we put in place that direction and real accountability.

For those who voted for the Robb amendment earlier, and want to make sure environmental laws are respected and honored, we keep in place the notion that you do not throw those laws into the garbage can on appropriations bills.

So I am hopeful my colleagues will support this on a bipartisan basis. I particularly thank the original sponsor of the legislation, Senator BRYAN. He has done yeoman work to try to put in place a bipartisan coalition. I hope this proposal will be attractive to my colleagues of both political parties.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, good morning.

I am not quite sure I know, for all of the Senators who are listening this morning or who will be asked to vote in about 45 minutes, how to capture the essence of this amendment—the first-degree and second-degree amendments—brought to us by the Senator from Nevada and the Senator from Oregon.

I guess the best way to do that is to kind of take a snapshot back to 1989 and 1990 when this country had a vibrant forest products industry and a green sale program on the forested lands, the forested public lands of our Nation.

I would be the first to tell you, as I have said over the years, that at that

time we were probably managing a level of cut on our public lands that was not sustainable. But it was at that time that the National Environmental Policy Act, the Endangered Species Act, the Clean Air Act, and the Clean Water Act began to take effect on those lands. We saw some very dramatic reductions in logging.

Here is an example of the kind of reductions we have seen since 1989. The Senator from Oregon just spoke. In his State alone, 111 mills and 11,600 jobs. The Forest Service, by its action, in response to public policy shaped by the Senate, and interpreted by the courts of this country, caused this to happen by disallowing the availability of public saw logs to 111 mills.

My State of Idaho: 17 mills, 770 jobs. That is a comparable impact because of the number of mills.

I spoke yesterday about my community of Midvale—45 jobs in a 300-person community, a big impact. But that mill is gone, torn down, sent to Brazil to cut down the rain forest.

Literally this mill right here, Grangeville, ID, closed for lack of timber, lack of public timber, lack of public timber by public policy, not for the lack of growth of trees on the Nezperce Forest, torn down and sent to Brazil to cut rain forest trees.

We have struggled for a decade to try to transform public policy to meet the environmental sensitivity that all of us want the Forest Service to meet. The chairman of the appropriations subcommittee, Senator GORTON, has constantly worked where he could through the appropriations process to shape that new policy.

We have now reduced the allowable cut on the public forests of our country, from 1990 to today, by 70 percent, a precipitous drop. In other words, if that were the auto industry, GM and Chrysler would no longer exist. They would be gone. Their plants would be torn down and their people would be strewn across the landscape looking for a new job. But it wasn't the auto industry, it was the forest products industry. We have recognized that and tried to reshape it to meet the environmental standards all of us want our Forest Service to adhere to, but also to wring the politics out of it.

So there has been a 70-percent decline in logging for timber harvest since 1990; 140,000 people were employed in that industry in 1990; there are 55,000 today. Think of that tremendous flip-flop. Many of those folks don't have jobs yet. When you come to the public lands-dependent communities and counties of the West and some places in the South and Southeast, the unemployment today is not nearly at full employment as are most of our urban communities. It is at 16 and 17-percent unemployment. These are former loggers, men and women who made their jobs in the logging industry—not cutting trees, but working in sawmills and selling the product.

So that is a snapshot of time. That has all happened since about 1989 to 1999. In less than a decade, we have seen the collapse of the forest product industry of this country, all in the name of the environment, while we are still growing more trees now than ever in the history of our country. We are growing more trees now than when European man came to this continent. Our forests, in some instances, are more healthy today, and in other areas they are devastatingly old, with 30 to 40 percent dead and dying. They create phenomenal fire potential situations when the climate goes dry, as they do in the Great Basin West about every 6 years. Yet we have Senators who come to the floor and want to reduce the 70-percent reduction again and again and again. That is exactly the intent of the amendment by the Senator from Nevada.

So I scratch my head most sincerely, and ask why. It can't be because we haven't reduced the program. It can't be because we are trying to build environmental sensitivity and shape timber sales so they are much different than they were a decade ago. It must be because the national environmental movement—and the Sierra Club is the best example—in a national policy shaped 3 years ago, said: zero cut of trees on public lands. We don't want to see another tree cut.

Somehow, other Senators seem to want to echo that and bring it to the floor. I have to believe that is the driving impetus behind this amendment. I know of no other reason—at least I can't come up with a good one—when you look at the history and recognize what the Forest Service has done. The Senator from Oregon and I are working together to shape policy. The Forest Service has lost its direction. It tried to deal with the National Endangered Species Act and National Environmental Policy Act, and as it tried to amalgamate these into the National Forest Planning Act and the national forest plans under which the forest operates. The courts have stepped in time and time again and said, no, you can't do it that way. The reason is that environmental groups have filed lawsuits. We have allowed the courts to become the managers of our public forested lands, not the U.S. Senate.

You and I were elected to shape public policy. The chairman of the Appropriations Interior Subcommittee is working to do that. The legislation we have here, which dramatically reduces the overall programs in spending, is to do that. Some instructive words are in there. Even the amendment here, while it is argued to do something different, actually goes out on the land to improve existing roads and make them more environmentally sound.

Now, it would be argued by some that these are going to be brand new roads out through a pristine forest. That is really not true in about 99 percent of the cases because the Forest Service is not opening up new land. They are going back now in the States of Oregon, Washington, and Idaho and recutting old land. So they are taking old roads and improving them and putting in culverts and graveling them and making them more environmentally sound so you don't get sediment creating runoff into the streams and damaging the fisheries. Ninety percent of the very money the Senator from Nevada wants to take out of this bill will go to that kind of reconstruction of the roads.

Those are the facts. As chairman of the Subcommittee on Forests and Public Land Management, in the last 3 years, we have held 45 hearings on the U.S. Forest Service. We turned it upside down and we shook to try to figure out why it was the most dysfunctional agency of the Federal Government. Here is part of the reason why: Because the Congress of the United States, over the last two decades of shaping public policy, didn't blend the policy together and it collided, which caused the Forest Service, in large part, to crash because of lawsuits and very dedicated environmental groups who really do want to shut public timber cutting down.

For the first time, yesterday, the Senator from Pennsylvania spoke on this. You would not expect Pennsylvania to be involved in this debate. Yet they have National Forest lands, hard wood lands. They have the same problem. Now lawsuits are being filed there to disallow the cut of red cherry and other woods that are critical to the furniture industry and to about four counties in Pennsylvania. This amendment affects every State in the United States that has a National Forest so designated within its boundaries. In some form, it will impact every one of those States.

The second-degree amendment is simply to shift over a little over one-third of the $34 million that is taken out of the program by the amendment of the Senator from Nevada to do research. The Senator from Oregon will argue that it expedites an agenda. I am confident it doesn't because the Forest Service simply can't move that quickly. If they did, they would probably be sued and shut down again.

So we can argue on the floor, and we will vote; and it will be a vote on politics a lot more than on policy or substance, tragically enough. I hope the Senate will stand up and say, no, we have reduced the timber sales in the United States by 70 percent, and that is enough. We have to cut some for health reasons, to clean our forest floors, for our stewardship programs, for salvage purposes, get rid of the dead and dying in the bug-infested forests that oftentimes breed the kind of death that when the drought cycle comes and creates the catastrophic fires we have seen through the Great Basin, in New Mexico and Arizona, which we will see once again. This is what is at issue today.

I hope the Senate will agree with the chairman of the subcommittee, who spent a great deal of time with those of

us who are committed to shaping public policy on these most critical public land issues. I believe that is the substance of the amendments at hand. I know of no other way to tell about it or to understand it. So if you want to keep ratcheting down the cut to a zero amount on our public lands, then you want to vote for Bryan-Wyden because that is their answer. If you do that, we will still build homes, but we will import that lumber from Canada and Brazil's rain forests and from Argentina and Venezuela and all the other areas and even Norway, strangely enough, but it will not be cut here. Hundreds of communities across this country will die because they are dying now. It is just that we haven't gone to their funerals yet. The rest of these mills will close, and this country will not have something it ought to have, which is a balanced, multiple-use, environmentally sound stewardship program for its public lands, which includes some tree cutting where necessary and appropriate.

I retain the remainder of our time.

Mr. FITZGERALD addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am proud to rise in support of the Bryan amendment. In fact, I would like to tell the body that I am a cosponsor of this amendment, the Bryan-Fitzgerald amendment. It is going to be second degreed with Senator WYDEN's amendment. I continue to support the bill. I think it is a reasonable, moderate approach. I have great respect for my colleague from Idaho, Senator CRAIG, and I am very impressed by his concern for his State and the Forest Service, for his knowledge of the area, and for the jobs that are in the timber industry in this country. But I think it is important to notice that this is a very moderate amendment.

It does not end timber sales in this country. In fact, it simply cuts back an increase that the Appropriations Committee added to the Forest Service's Timber Sales Management Program—an increase that went $32 million beyond what the Forest Service chief requested, what the administration requested.

This bill simply funds the Timber Sales Management Program at the very same amount that the Forest Service has requested.

With all due respect, I have to say that many of the horror stories we heard on the floor last night and this morning about what effect this would have on timber sales and logging in this country are not true. It is also a very fiscally conservative approach. Of the $32 million that the Appropriations Committee gave to the Forest Service budget beyond what the Forest Service requested, we are going to apply $10 million to reduce our national debt—to pay down that important debt we are trying to eliminate over time. The rest of it we are applying for other important priorities such as restoring cuts in the fish and wildlife program that were used to, in fact, fund this increase.

People might ask why do we need this amendment? In my judgment, increasing the timber sales management budget can't be justified either on economic grounds or on environmental grounds.

First, if I could speak for a moment on the economic grounds, there have been a variety of studies over the recent years that have been very critical of the country's Timber Sales Management Program. All of the different reports have suggested that the program loses money. There have been different studies. Some have suggested—in fact, the Forest Service itself, I believe, estimated its loss in fiscal year 1997 at $889 million. But other estimates by other people using different accounting methods have suggested that the true net cash loss to the taxpayers could be as much as $1.3 billion in fiscal year 1997. You get different amounts depending on which type of accounting you would use to estimate the loss from the timber sales in this country. But whatever the true number is, there is widespread agreement that the program loses money and that it is a drain on the taxpayers.

I have to ask why would we want to put more money into a program that by everybody's measure loses money for the taxpayers? It doesn't seem to make sense economically. Also, environmentally there are many arguments that appropriate management of our national forests and appropriate targeted cuts may actually have a beneficial effect over time.

I have talked on several occasions to Senator CRAIG. I know he believes strongly that the management of our forests is environmentally sound. I would simply point out we are not curtailing all timber sales. We are preserving the status quo in timber sales in this country. This amendment does not go so far as to end timber sales. It funds them at roughly the same level they were funded last year. But we are not going to increase it.

Obviously, from an environmental standpoint, the timber sales in this country are very controversial, particularly where you have an old-growth forest. Forests once cut come back. They grow back. But they never quite grow back in the same way in the same original pristine state that they once were.

Over the August recess, I had the occasion to vacation in northern Wisconsin, in an area that was in the middle of a State forest in Wisconsin. That whole area, as I understood it from reading the history of the region, was completely clearcut in the late 1890s. In the intervening 100 years, the forest has grown back. But I read a study of the forest which showed that it didn't come back in the same way. There were different trees that came back. In fact, some of the more valuable trees were not favored in that regrowth process.

Once a pure pristine forest is cut, it can never be regained in the beautiful form that it once was. Since those pristine areas in this country are fewer and fewer now as we enter the third millennium, don't we want to think about how much we want to expand the cutting of our national forests?

Finally, one of the points I make is that timber sales from timber harvested in our national forests represent only a small portion of our Nation's timber supply. In fact, I am told—I have seen estimates—that as low as 3.3 percent of our timber comes from national forests. We are in no way dependent on those national forests in order to meet our timber needs in this country. In any case, this amendment does not cut that amount, whatever it is; it says we are not going to expand it.

In sum, I think this is a very well balanced, moderate, measured amendment. I compliment Senator BRYAN, my colleague, and also Senator WYDEN for their work on this.

I am proud to support this amendment. I support it with wholehearted enthusiasm. While I cannot claim to have the extent of beautiful national forests in my great State of Illinois that some of my colleagues from the West may have, we have the Shawnee National Forest in southern Illinois. It is one of the most beautiful parts of our State. It is something that is of concern to people right in my State—and that we have jobs in that area down in southern Illinois.

I very much enjoyed spending 5 days with my family in the Shawnee National Forest about a year or so ago.

I am hoping we can go forward into the 21st century finding a way to make sure we have an ample supply of timber in this country but at the same time preserving some of the pristine natural areas in this country—that we don't go too far in either direction.

This is a very well-balanced amendment. I am pleased to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, in fiscal year 1990, the Forest Service sold 11 billion board feet of timber for harvest and for productive use. For the last 2 years, we have authorized through our appropriations 3.6 billion board feet of harvest. The administration proposed in its budget for this year 3.2 billion, a further reduction, and a reduction from 1990 of 71 percent, as my colleague from Idaho pointed out.

Peculiarly, or interestingly enough, the Forest Service in its actual National Forest Land Management Plan allows for a harvest of about twice this amount. It is only the appropriations level recommended by the administration, and for that matter by this Congress, that has the level almost 50 percent below what the Forest Service plans say is both economically and environmentally sustainable.

That is the first peculiar argument.

Second, the committee bill does not increase the allowable harvest. It simply allows the same harvest for next year that appropriations bills passed overwhelmingly by this body and signed by the President have permitted for the course of the last 2 years.

The question is whether or not we should continue to move toward no harvest at all, as many of the national environmental organizations recommend, or whether we should consider continuing the relatively modest harvests that were promised by this President and this administration at the beginning of his Presidency, most particularly in the Pacific Northwest.

The Senator from Idaho pointed out that this is not exclusively a Northwest issue; that it applies to forests in other parts of the country, including the hardwood forests in the Northeast.

The original Bryan amendment distributes this money relatively widely—a fairly small percentage of the overall Interior appropriations bill—including a modest amount which simply is not to be spent at all and will go to the national debt. Most of that modest amount, however, is taken up and spent by the Wyden second-degree amendment that is to be directed at surveys of various species in the forests of the Pacific Northwest.

About those surveys, the Oregonian wrote an editorial 3 days ago. Three paragraphs of that editorial read as follows:

> Maybe now it is finally clear to the Clinton administration that it is fiscally and practically impossible to count every slug, every lichen, every salamander that lives on every timber sale on public forest land in the Northwest.
>
> The surveys of rare species of animals and plants required in the Northwest Forest Plan are ''technically impossible'' and ''preposterous,'' in the words of the Society of American Foresters, a professional group holding its national convention in Portland this week. . .
>
> Intentional or not, the survey requirement inserted into the Northwest Forest Plan has proven to be a poison pill—a way to block all logging and prevent the plan from working as it was designed.

That is the end of my quote from that editorial.

The Wyden second-degree amendment wastes $10 million. It literally wastes $10 million on surveys that are ''impossible'' according to the newspaper, ''preposterous'' according to the Society of American Farmers, and ''a poison pill'' for any timber sales whatever.

Estimates made during the course of a debate last week on carrying out all of these surveys were somewhere between $5 billion and $9 billion—not the $10 million that is included in this amendment. In other words, we are being asked by this amendment simply to throw away $10 million on useless surveys and at the same time to reduce further a timber sale program, a harvest, that is approximately half of what the Clinton Forest Service and its forest plans has said is environmentally and economically appropriate in the forests of the United States.

There is no rational ground for either the first-degree amendment or the second-degree amendment, except for the proposition that we wish to drive as quickly as we possibly can to a situation in which there is no longer any harvest of timber products on the national forests or, for that matter, all of the public lands of the United States. That is a conclusion and a goal that is economically unsound, environmentally unsound in the United States, bad for our balanced payments, and bad for the management of forests and the rest of the world whose products would be substituted for our own if that goal were reached.

I trust that sound judgment and wisdom will prevail and that both of these amendments will be rejected.

I want to point out once again that the committee report, the Appropriations Committee bill that is before the Senate, does not increase timber harvests on public lands of the United States. It retains exactly the level they were authorized for in the current year by the current appropriations bill, a level that the Senator from Idaho, I, and the junior Senator from Oregon believe already to be unwisely low.

We did not come here with a controversial point of view; we came here with essentially a freeze. We ask our colleagues to support the committee in that connection.

Mr. ENZI. Mr. President, I rise in opposition to the amendment introduced by the Senior Senator from Nevada that would drastically cut funding for our schools and rural communities. Over the past ten years the federal timber sale program has already declined by more than 70 percent to an all-time, post World War II low. This rapid decline has brought with it severe economic instability to resource dependent communities in rural America.

The most visible victims have been rural schools who were dependent on their share of the 25% payments they received from the proceeds of timber sales to fund such programs as, school lunches, nurses, computers for the classrooms, and just about any extra-curricular activity that you now see vanishing from America's education system. Some school districts have been forced to cut back to 4-day weeks, others have been forced to lay off teachers, and others have dropped courses, all in attempts to survive within diminishing budgets.

This instability has also impacted the rest of the community. Increased unemployment has resulted in an increase in domestic violence, family dislocation, substance abuse, and increased welfare rolls in rural counties in all regions of the country. More and more families and communities have been driven to live near or below the poverty level.

Many local communities, however, have begun working with their local Forest Service offices to restore economic equilibrium. They have joined with local environmentalists, local governments and industries to form coalitions that they hope can help save their schools while maintaining or improving the forest ecosystems in which they live. And yet, as quickly as they rebuild, new attacks come to reduce or eliminate funding for the federal timber sale program. These attacks are based on the concept that federal timber sales are below-cost and economic boondoggles for the federal treasury.

As a former accountant, I would like us to take a moment to look at this program and to evaluate exactly what is going on with our Federal Timber Sale program.

The first question we have to ask is: Does the federal timber sale program constitute a subsidy for the forest products industry, or in other words, is the price paid for federal timber below its actual market value?

If federal timber contractors were to receive a special benefit and pay less money for the timber they harvest on federal lands, then we could say that there is a subsidy. However, Federal timber is sold by means of a competitive bid system. As a result, these auction sales are the most likely of any type of commercial transaction to generate the returns that meet or exceed market value. Because timber sales are designed to generate market value prices, we therefore must conclude that there is no subsidy.

Furthermore, the forest products industry has been able to demonstrate time and time again that the benefits gained by the public through the Federal timber sale program far outweigh the costs to the Federal treasury.

Only twice in the history of the Federal Timber sale program has the Forest Service reported that the costs of operating the program has exceeded revenues, in the years 1996 and 1997. This sudden loss of revenues, however, has not occurred because timber sales are not profitable.

A quick breakdown of the timber sale program shows that commercial sales still generate a profit for the federal government. The Forest Products industry is still paying its share.

What has changed is the focus within the Forest Service to implement an increased number of what is called stewardship sales, or timber sales designed to improve forest health without necessarily harvesting merchantable timber. These sales are not, and never have been intended to make a profit.

Because of this increased emphasis on stewardship, there is now virtually no such thing as a purely commercial timber sale on our National Forests. Almost every timber sale released by the United States Forest Service now includes some form of stewardship element that is intended solely for the purpose of improving the health and fire resilience of our National Forests. In a sense we now have timber companies paying for the privilege of improving forest health. As a result, our national timber sale program continues to be the single most effective tool of

the United States Forest Service for restoring health to our national forests. And our national forests desperately need help.

According the Forest Service's own records, more than 40 million acres of our national forest system currently exist under an extreme threat of destruction by catastrophic wildfire. An additional 26 million acres suffer from threat of destruction as a result of disease and insect infestation. Without the National Timber Sale program to thin out these forests and drastically reduce the amount of combustible fuels accumulating in our national forests I can guarantee you that when these forests burn, not if they burn, but when they burn, habitat will be destroyed, animals will be killed, water tables will be decimated, jobs will be lost, and more communities have to suffer the pains of rebuilding after another economic loss.

Mr. President, it does not make sense to take money from our nation's most effective forest restoration program just to give it to another forest restoration program. The Timber Sale Program is currently funded at a level very close to last year—an appropriate figure as we work to restore equilibrium in rural economies.

This bill, however, does not ignore the other restoration programs. Wherever possible we have increased funding for watershed restoration, road maintenance, and fish and wildlife management and I hope that we can continue to increase funding for these important programs, but where we have limited resources, we need to spend our tax dollars in the most effective manner, which means continuing to support the timber sale program.

In closing Mr. President, I would like to say that the goals of environmental protection and economic stability are not mutually exclusive. We can save our environment without sacrificing rural America.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Nevada.

Mr. BRYAN. Mr. President, how much time remains for the proponents of the amendment?

The PRESIDING OFFICER. The proponents have 12 minutes 43 seconds, and the opponents have 10 minutes 4 seconds.

Mr. BRYAN. I reserve 5 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BRYAN. Mr. President, let me compliment the Senator from Oregon for his leadership in helping craft this very carefully balanced and I believe very modest amendment. Although the Senator from Illinois has left the floor, I want to compliment him for the clarity of his comments. I think he has put this debate in the proper context.

The Senator from Idaho has framed the issue as being for or against harvesting timber for commercial sales on the national forests. That is not the issue before the Senate today. This amendment does not deal with that issue. This amendment reduces the amount of money allocated for the commercial timber sales program back to the amount the President recommended in his budget and the Forest Service, the professional managers, recommended, which was $196 million.

That commercial timber program has been subject to much criticism over the years. It is, in my judgment, one of the vestiges of corporate welfare that still exists in the Congress of the United States. Courageously, on a bipartisan basis, both parties worked to reform the welfare system. We have already seen enormous benefits as a result of that bipartisan action. For reasons that are not altogether clear to me, we have had much less success in removing the vestiges of corporate welfare. It is for that reason that such responsible organizations as the Concord Coalition as well as the National Taxpayers Union are strongly in support of the Bryan-Wyden-Fitzgerald amendment.

The commercial timber sales program has been widely criticized because it is a subsidy. The Forest Service itself has acknowledged that fact. In the most recent fiscal year in which data is available, they have acknowledged that it is an $88.6 million loss to the taxpayer. The General Accounting Office, reviewing the data from 1992 to 1997, concluded the American taxpayers have lost some $1.5 billion as a result of this program. The Bryan-Wyden-Fitzgerald amendment is an attempt to bring some balance to the program.

My friend from Idaho has suggested that somehow this commercial sales program deals with forest management. We should be candid: It deals with commercial sales. We are subsidizing some of the largest logging companies in America. To do so, the appropriators, in changing the President's recommendation, have stripped money from some of the most important accounts in the Forest Service.

Regarding the road maintenance account, we have in the neighborhood of 380,000 miles of roads in the national forests. That is more miles than we have on the National Interstate Highway System. Each one of those miles of new roads that are cut in requires a substantial amount of ongoing maintenance to prevent environmental damage. The Forest Service estimated it would require $431 million annually to begin to address the environmental consequences of some of these roads that have been cut through the national forest. The backlog is some $3.85 billion. Yet in the bill that the appropriators present to the floor, they have stripped about $11.3 million out of this road maintenance program.

From firsthand experience, based upon our experience in Nevada and the Tahoe Basin, that is a major contributing factor to erosion and degradation of the ecosystem. Yet in terms of priorities, the appropriators would set as a priority increasing the timber sales program and reducing the amount of money available for the road maintenance program.

In addition, they have cut substantial amounts of money out of the fish and wildlife accounts.

Putting the National Forest System in some perspective, only 4 percent of the timber harvested in America comes from the National Forest System. However, it is not the only use that the national forest has. The national forest, as my colleague from Illinois noted in citing his own personal experience, provides an enormous recreational opportunity for millions of people. Yet the programs which they depend upon—the fish and wildlife accounts to make sure the habitat is there, that the fishery is not devastated as a consequence of some of these practices—those accounts have been substantially reduced. The funding that goes to those accounts is an investment in the Nation's 63 million wildlife watchers, 14 million hunters, and 35 million anglers who spend approximately 127.6 million activity days hunting, fishing, and observing fish and wildlife annually on the national forests.

Those who oppose the amendment have cited some of the economic circumstances that have affected the logging industry. Let me suggest with great respect, those are consequences of changing technology. Those jobs, I regret to say, will never come back because we harvest differently. The technology is more efficient. It is less manpower intensive.

On the other hand, the moneys that we invest in these programs that deal with fish and wildlife directly result in local community expenditures of billions of dollars, in over 230,000 full-time equivalent jobs.

One out of every three anglers fishes the national forest waters nationally, and two out of three anglers in the West fish the national forest waters.

So what my colleagues from Oregon and Illinois have put together is a carefully crafted balance: Maintain the timber harvest program at a $196 million level but do not increase it, because of the massive subsidy involved and the damage that has been done to the national forest system; put money back into the road maintenance account to help address that backlog, which is a major contributor to the environmental degradation that the ecosystem, according to the National Forest Service, is experiencing; restore money to the fish and wildlife accounts so we can help those who use the national forests for recreational purposes and address their needs.

I think as evidence of how balanced this effort is, the editorial support is not confined to any particular region. The Chattanooga Times expresses its support for it, as does my own hometown newspaper, the Las Vegas Sun, the Pittsburgh Post Gazette, and the San Francisco Chronicle. All who looked at this recognize this subsidy needs to be limited. What we have done is provide a carefully balanced response to that. I urge my colleagues to

support the Bryan-Wyden-Fitzgerald amendment.

I yield the floor and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. How much time remains on our side?

The PRESIDING OFFICER. The Senator has 5 minutes 13 seconds.

Mr. WYDEN. Mr. President, let me wrap up by saying that colleagues can see, year after year, this Congress has increased funding for the timber sale program. You can see that pattern since the late 1990s, going into this year. So all Senator BRYAN, Senator FITZGERALD, and I are trying to say is that there is more to this question, practicing sustainable forestry that will be good for rural communities as relates to their economic needs and to their environmental needs—there is more to this than just throwing money at the timber sale program.

If throwing money at the timber sale program was going to make things better, all of us in this body would have seen improvements over the last few years. In fact, we have seen the problems get worse. The problems have worsened in so many of these rural communities in both economics and the environment.

Much has been made of comments in our newspaper, the Oregonian, because of the importance of the forest in the Pacific Northwest. The Oregonian, in their editorial pages, said:

> What is needed is a carefully negotiated agreement on appropriate surveys for rare species and adequate funding to do them.

That is exactly what the Bryan-Fitzgerald-Wyden package does. For the first time we link adequate funding for the timber sale program to specific requirements for accountability and oversight. Never before on the floor of the Senate have we made the judgment that is in the Bryan-Fitzgerald-Wyden package that in fact the Forest Service really has lost direction in complying with a lot of these environmental concerns.

But we do not throw the environmental laws in the garbage can. Instead, we have the important effort that was launched by Senator ROBB and our good friend, Senator CLELAND, who is here this morning. At the same time, we agree with Senators CRAIG and GORTON that we do need to put this program on track.

So I am very hopeful my colleagues on both sides of the aisle will see this as a practical approach, an approach that is sensitive to the economic needs of rural communities, an approach that complies with the Nation's environmental laws and at the same time allows us to be a more effective steward of resources for taxpayers in this country.

This is not the end of the debate. Certainly what the Oregonian called for recently—a negotiated agreement on surveys to comply with the environmental rules and adequate funding—is going to have to be fleshed out when the House and Senate go to a conference committee. But this is the first step to a fresh approach that links adequate funding for the necessary environmental work with accountability that is long overdue at the Forest Service and a chance to meet the economic needs of the rural communities.

If all that was needed was what some of my colleagues on the other side have called for, which is spending more money on the timber sale program—we would not have many of the problems we are seeing today because year after year this Congress has put more money in the timber sale program. What we need is what Senators BRYAN and FITZGERALD and I have talked about on this floor, an effort to link the new focus on accountability at the Forest Service with compliance with environmental rules and sensitivity to economic concerns.

I urge my colleagues to support this bipartisan amendment, and I yield the floor.

Mr. GRAMS. Mr. President, every year at this time it seems we are here on the Senate floor debating another attack on the Forest Service's Timber Management Program. Every year those who wish to eliminate logging in our national forests come up with another angle which they claim helps protect the environment by eliminating ''wasteful'' spending on logging practices. Every year people throughout northern Minnesota and forested regions across the country see their jobs and their livelihoods threatened in the name of preservation or conservation. And every year, those of us who represent the good people of the timber and paper industry in our states have to fight, scratch, and claw our way to a narrow victory that saves those jobs and those families from economic ruin.

I come from a state in which the forest and paper industry is vital to our economy. The reduction in the timber program on national forests has had a dramatic impact over the past ten years on the number of jobs and the economic vitality of northern Minnesota. According to Minnesota Forest Industries (MFI), jobs provided by the timber program in Minnesota dropped from over 1,900 in 1987 to less than 1,100 last year, and they continue to decline.

The reduction in timber harvests on federal lands has had an equally dramatic effect on unrealized economic impacts. MFI estimates that unrealized economic benefits include over $10 million from timber sales, $25 million in federal taxes, $2.5 million in payments to states, and $116 million in community economic impact in Minnesota alone.

It is important to point out that the timber program in national forests has a very positive impact on the amount of federal money that goes to rural counties and schools. Nationally, the program contributes $225 million to counties and schools each year through receipts from timber sales in national forests. In Minnesota, the timber program provided roughly $1.7 million to counties and schools in 1998 alone. If the timber program would have met its allowable sale quantity in 1998, that number would have risen to nearly $2.5 million.

I am fascinated by the claims of some of my colleagues that the timber program is a subsidy to wealthy timber and paper companies and the claims that the timber program loses money because we are giving timber away to these companies. If you truly believe that, I challenge you to visit northern Minnesota and speak with the families who have lost their mills and the loggers who have lost their jobs. Talk to the counties and the private landowners who cannot access to their own property because the Forest Service doesn't have enough money to do the environmental reviews. Or talk directly to the Forest Service personnel and let them tell you how lengthy and costly environmental reviews and the overwhelming number of court challenges to those reviews is making the timber program so costly.

Then go speak with state or county land managers and ask them why their timber programs are so successful. Ask them why their lands are so much more healthy than the federal lands and why they're able to make money with their timber programs. In Minnesota, St. Louis County only has to spend 26 cents in order to generate one dollar of revenue in their timber program and the State of Minnesota spends 75 cents to generate one dollar of revenue. The Superior National Forest, on the other hand, spends one dollar and three cents to get the same result.

I cannot see how my colleagues can stand here on the Senate floor and tell me that the forest and paper industry in our country, and its employees, are the bad guys. The forest and paper industry in America employs over 1.5 million people and ranks among the top ten manufacturing employers in 46 states. These are good, traditional jobs that help a family make a living, allow children to pursue higher education, help keep rural families in rural areas, and provide a legitimate tax base from which rural counties can fund basic services. These are jobs that we in Congress should be working diligently not only to protect, but to grow.

Unfortunately, many Members of Congress who advocate these ideas have never taken the time to understand the positive economic and environmental benefits of science-based timber harvests. They have never sat down with a county commissioner who does not know where he is going to get the money for some of the most basic services the county provides to its citizens. They have never considered that for every 1 million board feet in timber harvest reductions in Minnesota, 10 people lose their jobs and over $570,000 in economic activity is lost. And they have never taken the time to go into a

healthy forest where prudent logging practices have been essential to ensuring the vitality and diversity of species.

If Members of this body want to make the timber program profitable across the country, then we should have an honest debate about what works and does not work in the program. We should discuss frankly the ridiculous number of hoops public land managers have to jump through in order to process a timber sale. I think we need to discuss the fact that under the Alaska National Interest Lands Conservation Act the federal government must provide access across federal lands for state, county, and private landowners to access their land. Yet in Minnesota, those landowners either have to wait a number of years or pay for the environmental reviews themselves because the Forest Service claims it does not have enough money. We should also discuss openly the dramatic impact court challenges are having on the ability of the Forest Service to do its job and to carry out the timber program in a cost-effective manner. On top of that, it's clear that under this administration the Forest Service does not want a timber program that shows a profit and they have done an effective job of using the powers of the executive branch to vilify both the timber program and the men and women of my state who rely upon that program in order to meet their most basic needs.

Virtually everyone in this body, including this Senator, is committed to the protection of our environment and to the conservation of our wildlife species and wildlife habitat. I believe we can expand upon our commitment to wildlife and provide additional resources for habitat protection. But I do not believe we must do so on the backs of timber and paper workers throughout the nation. I am willing to work with anybody in this chamber towards those conservation efforts, but let's not do it by pitting timber and paper workers against conservationists.

We cannot simply stand here and claim that the Bryan amendment is an easy way to throw some money towards the preservation of public land. Rather, this amendment is going to take jobs from my constituents and hurt the economy of the northern part of my state. The Bryan amendment is just one more step down the road toward eliminating logging on federal land. This amendment is going to reduce the ability of a number of rural counties in my state to make ends meet and to provide necessary services to residents. Those are just a few of the realities of the Bryan amendment and just a few of the reasons why I cannot and will not support its passage.

Mr. CRAIG. Mr. President, I want to at least try to shape for the RECORD some of the facts and statistics that have just been brought out. Last year, commercial sales of logs by the Forest Service produced a profit of $14.7 million. Last year's stewardship sales, the kind that the Senator from Nevada is talking about, for the purposes of forest health, the kind that is going on in the Tahoe Basin, lost the Forest Service $57.4 million. Those are the facts from the Forest Service.

It is understandable because when you go in to clean up the dead and dying and to improve the general health of the forested lands, you are dealing with a less valuable stick of timber. But the reality is that what the Senator from Nevada advocates is, in fact, a losing proposition. But I support stewardship, as does the Senator from Nevada, because it improves the forest health, it improves wildlife habitat, and water quality when it is properly done. It is not a money-maker. It is something that will have to be subsidized.

Is the Senator from Nevada willing to say that the company that does the stewardship contract for the Forest Service is a subsidized business? He just finished talking about corporate welfare. Is that welfare or is that forest health? Is that an environmentally sound thing to do? I think we are getting our facts a bit mixed up.

The road maintenance program was not slashed this year; $10 million was added to it. The Senator from Nevada knows the President's budget, when it came to the Hill, was dead on arrival, and we did not really consider any aspect of it. They wanted more money. They wanted $20 million. We gave them $10 million. So the program was not slashed; it was added to by $10 million over last year's level. It was reduced from the President's recommendation. I believe that shapes the reality of the facts a bit differently.

Let me talk a little more about facts. The Forest Service timber program generated directly for personal and business incomes this last year over $2 billion. Personal and business income from the timber program has dropped by almost $5 billion since 1991, for the very reasons we have given, because the Forest Service has reduced its program by 70 percent. We are dealing with less than the 30 percent that remains, and even that produces an income for working men and women and businesses of around $2 billion.

The amendment will continue to reduce this. There is no question because you are not going to have the money to do the studies, to do the EISs, to produce the sales, and to recondition the roads necessary to gain access to that timber. There are over 50 timber-dependent communities that each receive over $10 million of personal and business income from the forest timber program. There are almost 150 counties that each receive over $1 million. This income is at risk with the Bryan amendment—no question about it—because he continues to reduce the program.

The timber sales program generated $577 million in revenue to the Government and returned $220 million directly to school districts and counties for their roads and bridges. That is the reality of the money from the timber program.

It is important to understand that when we talk of allocating tax dollars to the Forest Service, it is done for the purpose of maintenance and of stewardship. All of these create a healthier, more vibrant forest.

That is largely the timber sale program today. It is not the large greencuts program of a decade ago. Still the Senator from Nevada says that is too much and even used phrases like ''corporate welfare'' this morning. I do not think he would say the companies that are in the Tahoe Basin today, thinning and taking out the dead and dying and improving the forest health and ultimately improving the water quality of that basin, are corporate welfare babies. They are industries hired by the Forest Service to improve the health of the forest.

The Forest Service timber program generated $309 million in Federal taxes in 1997. This kind of significant economic activity is only when we have a viable timber program. We have reduced it dramatically, the timber program contributed over $700 million in income taxes in 1992. Again, the Bryan amendment will continue to reduce that.

We have already talked of the loss of jobs. One-half of the timber program is stewardship or personal use. Sales are used, again, for the purpose of maintaining or improving forest health—thinning, cleaning, reducing the fire hazards and the fuel loads. These types of sales are always, as I have just said, marginally profitable, some of them not, but they are done as part of the responsibility of the Forest Service to progressively improve the general health of our forested lands.

We know that Mother Nature, left to her own decisions in forest management, takes a lightning strike where she takes it and oftentimes burns down hundreds of thousands of acres, destroying habitat and dramatically impairing water quality in that immediate area for several years to come. We know that the hand of man, properly directed, can assist in improving the forest health, and that is exactly what many of our programs are about today.

The amendment will penalize the Forest Service timber program by reducing activities that are improving the health that I have talked about and the ecosystems about which all of us are concerned. At the same time, the amendment will throw a monkey wrench into a program that is already in trouble and will not contribute increased dollars to the coffers of the Public Treasury.

Those are the general issues at hand.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. CRAIG. I was just informed, and I think it is reasonable, Mr. President,

to suggest if Hurricane Floyd sweeps up the coast and destroys some of our timberlands in the next few days, we are going to have the President come to us asking for emergency moneys in these areas to clean up the dead and dying trees in some of those areas, and yet here we are trying to cut it at this moment. I guess we will have to wait and see about Hurricane Floyd and forest health.

I yield the floor and retain the remainder of my time.

Mr. BRYAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The proponents of the amendment have 58 seconds. The opponents of the amendment have 2 minutes 1 second.

Mr. BRYAN. Mr. President, I am prepared to yield back the remainder of the time remaining on my side if my colleague from Idaho is prepared to do the same.

Mr. CRAIG. I am, Mr. President. I yield back the remainder of my time. I move to table amendment No. 1588 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1588. The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM) is necessarily absent.

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 272 Leg.]

YEAS—54

Abraham	Enzi	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Baucus	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Santorum
Breaux	Hagel	Sessions
Bunning	Hatch	Shelby
Burns	Helms	Smith (NH)
Byrd	Hutchinson	Smith (OR)
Campbell	Hutchison	Snowe
Cochran	Inhofe	Stevens
Collins	Johnson	Thomas
Coverdell	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Lincoln	Voinovich
Daschle	Lott	Warner
Domenici	Lugar	Wellstone

NAYS—43

Akaka	Durbin	Lautenberg
Bayh	Edwards	Leahy
Biden	Feingold	Levin
Bingaman	Feinstein	Lieberman
Boxer	Fitzgerald	Mikulski
Brownback	Harkin	Moynihan
Bryan	Hollings	Murray
Chafee	Inouye	Reed
Cleland	Jeffords	Reid
Conrad	Kennedy	Robb
DeWine	Kerrey	Rockefeller
Dodd	Kerry	Roth
Dorgan	Kohl	Sarbanes
	Schumer	Torricelli
	Specter	Wyden

NOT VOTING—3

Graham	Gregg	McCain

The motion was agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRAIG. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The legislative assistant 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.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 33

Mr. LOTT. Mr. President, for the information of all Senators, I have a unanimous consent request, and then I will go over the schedule as it appears to be at this time.

I ask unanimous consent the text of S.J. Res. 33 be modified with the changes I now send to the desk, and I ask consent that no amendments or motions be in order and debate be limited to 2 hours equally divided between the two leaders or their designees at a time to be determined by the leaders.

I ask that a vote occur on adoption of the joint resolution at a time to be determined by the majority leader, after agreement with the Democratic leader, but no later than close of business on Tuesday September 14, 1999.

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

Mr. FEINGOLD. Reserving the right to object, I hope to have an opportunity to address the situation in East Timor. I ask that prior to the time period the majority leader laid out, I have an opportunity to speak in morning business for about 20 minutes regarding that situation.

Mr. LOTT. I have no objection.

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

ORDER OF BUSINESS

Mr. LOTT. Mr. President, let me explain where we are. Except for some wrap-up time and another vote on the Hutchison amendment, I believe we are about ready to conclude the Interior appropriations. It will take some time to do wrap-up. As I understand it, there could be as many as two more votes in addition to final passage.

After the presentation by the Senator from Wisconsin on East Timor, we are going to go to S.J. Res. 33 with regard to the Puerto Rican terrorists. There will be a vote on that resolution sometime this afternoon but not before 2:15 or 2:30. We will work on a specific time and advise the Members when that will be.

When that is complete, it is our intent to go to the Transportation appropriations bill. I have discussed this with the Democratic leader. We are in agreement on that. We will do this resolution and a vote, and then we will go to the Transportation appropriations bill and complete that as soon as we can. That could be tonight or tomorrow night but however long it takes. Then we will come back and wrap up the Interior appropriations bill. That will be determined at a time we will notify the Members of, after we have had further discussion with the Democrats and the manager of bill.

Mrs. BOXER. Will the Senator yield?

Mr. LOTT. I yield.

Mrs. BOXER. Mr. President, I understand that Senator HUTCHISON wants everyone here to vote on the cloture. I totally understand. We have decided, and I totally agree with this, because of illness in Senator GREGG's family, that we are going to wait for him to come back. I wish my best to the family and my prayers. I know everyone feels that way.

I have no objection to that, and I want to cooperate on that.

Mr. LOTT. I thank the Senator from California for her comments and her willingness to do that. I don't make that sort of request ordinarily, but Members have extraordinarily difficult problems in their families and we have to try to be cooperative. We thank Senators for doing that.

I yield the floor.

The PRESIDING OFFICER. Under the previous unanimous consent, the Senator from Wisconsin is recognized for up to 20 minutes.

Mr. FEINGOLD. Mr. President, I thank the majority leader for the opportunity to address this issue at this time.

STEMMING THE TIDE OF VIOLENCE IN EAST TIMOR

Mr. FEINGOLD. Mr. President, I rise today to discuss the tumultuous events that have unfolded in East Timor since the August 30 ballot to determine the territory's political future, and to state clearly what the United States is and should be doing in response to this crisis.

How can anyone not be horrified at the blind eye that the Indonesian government has turned to the unchecked violence and mass murder being perpetrated in East Timor by anti-independence militias—violence that even today is blatantly supported by elements of the Indonesian army.

In just one week, since the ballot's results were announced on September 4, the militias have driven out or slaughtered nearly the entire population of the capital city of Dili. East Timor is dotted with villages and cities that have become virtual ghost towns in a matter of days. Many of the people that have been driven out have been

forced into militia-run refugee camps in West Timor. Mr. President, these innocent civilians are unprotected targets for a group of thugs who are willing to obliterate East Timor completely rather than allow it to start down the road to the independence more than 78 percent of its people voted for on August 30.

The message of the militias is clear: if Indonesia can't have East Timor, there will be no East Timor worth having for the East Timorese.

Cities are in flames and militia members are stealing anything of value that they have not destroyed. Churches, usually recognized as places of sanctuary—even by combatants during war—have been burned with refugees still inside. Mr. President, this is literally a scorched earth policy. It is like few of even the worst episodes we have seen in the often bloody 20th century.

No segment of the pro-independence population in East Timor has escaped the wrath of the militias. Religious leaders, foreigners, and the families of activists have been especially targeted for summary execution. At least 20 priests and nuns across East Timor have been murdered. Three of the priests were among approximately 100 Timorese victims killed in a brutal grenade attack on the town of Suai. Women, children, and the elderly have been massacred. Members of the United Nations Assistance Mission to East Timor (UNAMET) have been targeted, as have foreign journalists who are trying to cover the atrocities.

The leaders of the Timorese independence movement and their families are especially vulnerable to attack. Early last week, the Indonesian government released independence leader and political prisoner Xanana Gusmao from jail in Jakarta. On Friday, he learned that his 82-year-old father had likely been murdered by pro-Jakarta thugs, and that his elderly mother is missing.

Last week, the United Nations evacuated most of its personnel to Australia. About 80 brave UNAMET personnel elected to stay in East Timor to try to protect the approximately 1300 East Timorese who remained huddled behind the compound's barbed wire fences. They remained barricaded in what was left of the UNAMET headquarters for about a week with little, if any, power, water, or working telecommunications lines. Militia members have repeatedly fired into the compound.

On Friday, some of the Timorese, including women and children, desperate to escape the violence, climbed the razor-sharp fence separating them from the armed thugs and attempted to find refuge in the hills behind the UNAMET mission. They were fired on by the militias as they tried to escape. The unarmed UNAMET personnel were powerless to help and could only watch in horror as those they had come to help were shot down by ruthless opponents of justice, self-determination, and the rule of law. Yesterday, the U.N. evacuated most of its personnel and the refugees remained in the compound to Australia.

The boldness of the militias, and the complicity of the Indonesian army, and apparently members of the Habibie government, is astounding. I am truly shocked by the total impotence or inaction of the Indonesian government over the last two weeks. President Habibie promised the United Nations, the international community, and—most importantly—the people of East Timor, that he would ensure a secure environment in the territory and that the wishes of the Indonesian people would be respected. Neither has happened.

Some argue that Habibie may be unable to stop the violence. Others say he is unwilling. His level of control over the army, which he did not consult prior to agreeing to the U.N.-supervised ballot on the future of East Timor, is, of course, a subject of a lot of debate. Whatever the case, Habibie has not made any compelling strong statements condemning this violence, and has made no attempt to reign in the army personnel who are participating in this rampage.

I am also disturbed by the inaction of the head of the Indonesian military, General Wiranto. This past weekend, Wiranto implied that he may not have control of all of his forces. On Saturday, he accompanied a delegation from the United Nations Security Council to Dili, and he saw for what he said was the first time the devastation in that city. Soon after this visit, he said he would recommend that President Habibie accept an international peacekeeping force.

Finally, under considerable pressure from the international community, and with the support of General Wiranto and the head of the Indonesian police, Habibie announced early Sunday that his government would allow international peacekeepers, led by Australia, to come to East Timor to restore order and stop the violent rampage of the militias. But, as is often the case in clashes such as this, his announcement, while welcome, came too late for those Timorese murdered by the militias and those hiding in the hills who have been forever scarred by the violence and impoverished by the destruction that has been leveled against the democratic aspirations of the people of East Timor.

Now that the international community has reached this critical point in the transition of the political future of East Timor, Mr. President, here, I think, are the steps that must be taken next.

First and foremost, the international peacekeeping force must be deployed at the earliest possible date. I am very concerned at the words of delay coming out of Jakarta this morning.

I deeply regret that it took President Habibie so long to recognize the need for international assistance. Now, the Indonesian government, military, and President Habibie must cooperate fully with the deployment and must not interfere in the operations of this peacekeeping force. They must allow the force to deploy quickly, restore order, and help the East Timorese people to regain a semblance of security in their own homes and some hope of actually realizing the aspirations manifest in the results of the August 30 ballot.

I understand that Indonesian Foreign Minister Alatas continues meeting in New York today along with officials from Australia, to discuss the details of the Security Council mandate for the peacekeeping mission. One of those details clearly is to determine the composition of this international force and the role of the Indonesians themselves in such a deployment. Another should be to lay the groundwork for investigations into the crimes that have taken place in East Timor, including procedures to begin to collect evidence for future prosecutions.

Nobel laureates Jose Ramos Horta and Bishop Carlos Belo have called for the immediate formation of a war crimes tribunal to investigate and prosecute those responsible for these vicious crimes. That tribunal should be formed at the earliest possible date. To achieve that goal, the immediate priority of the international community should be to get the peacekeeping forces deployed to gain control of the situation and prevent any further bloodshed, and to allow the Timorese that have fled to return home.

The mandate for the peacekeeping mission should also be clear about the rules of engagement for disarming and detaining members of the militias. Some militia leaders have said that they will not disarm. This volatile situation poses a grave risk to the peacekeepers, and must be dealt with carefully and expeditiously.

Second, we must quickly and concisely define the scope of the U.S. role in this peacekeeping mission. I am pleased that Australia has come forward to take the lead on this peacekeeping mission in East Timor, and that other countries in the region have offered to contribute troops to this effort. It is my general belief that peacekeeping operations should be led by countries in the region where the conflict is occurring. I am also troubled by some word this morning that the Indonesian government is perhaps balking at the idea of Australia leading this mission—which I think is very appropriate, that Australia do so.

The militia-led violence, and the blatant collusion of the Indonesian military in the commission of that violence, is a direct slap at rule of law and the protection for the right to self-determination in international law and supported by the United Nations. I hope that any participation by the Indonesian military in this peacekeeping force will be scrutinized. Those who helped perpetrate the violence must not be placed in positions of trust within this operation.

I will say more about my views with respect to U.S. involvement in this peacekeeping operation in a few minute.

Third, the international community must keep the pressure on the Indonesian government. I am pleased that the President of our country made a decision I have advocated for some time to suspend military-to-military activities with Indonesia. I am also encouraged that this decision includes halting all new military sales to that country. I hope that the President will expand this decision to immediately halt any sales currently in the pipeline. If we are to be taken seriously by the Indonesian government, those sales must also be included. And these benefits should not be reinstated until specific steps have been taken to implement the results of the August 30 ballot.

I have heard many observers argue that Indonesia is too important financially to the United States and other countries to risk angering Jakarta. I would argue that no amount of trade is worth East Timorese lives. If we truly are to support Indonesia in its transition to true democracy, we must insist that the violence stop, and we must use every cent of our economic leverage to do so.

Last week I introduced a bill, S. 1568, that would suspend all military and most economic assistance to Indonesia until steps have been taken to implement the August 30 ballot. I am pleased that the Administration has suspended some military aid. It is now imperative that we keep the pressure on by refusing to reinstate that aid—and by threatening to suspend all other aid—until the results of the August 30 ballot are implemented. My bill would suspend new assistance and sales as well as those loans and purchases currently in the pipeline. In order to be effective, we must stop all aid in its tracks, not just new aid. We should also call on our allies to do the same. The recent financial troubles in Asia have made Indonesia dependent on bilateral and multilateral assistance. We should use that dependence as leverage to ensure that the Indonesian government lives up to its commitments in East Timor, including its newly announced willingness to admit a peacekeeping force into East Timor.

In that regard, I am pleased that the European Union yesterday announced that it has suspended all arms sales and military cooperation with Indonesia.

That welcome development makes it all the more important that we continue to push for passage of our legislation to suspend assistance. We must continue to apply the financial pressure provided for in this bill so that the Indonesians will understand the continuing U.S. resolve to see justice done in East Timor.

Finally, the United Nations mandate for this peacekeeping mission should include full access to East Timor for peacekeeping troops, humanitarian workers, and war crimes investigators. The anti-independence movement cannot be allowed to block access to any part of East Timor. In addition, humanitarian workers should also be allowed full access to the refugee camps in West Timor. The nations of the international peacekeeping force must make clear that no such interference will be tolerated.

People are dying. Women and children are being slaughtered while the politicians try to leverage the situation to their advantage. President Habibie has a chance to do what is right for his people, and the East Timorese people, before he leaves office. The way to salvage what is left of Indonesia's shredded international reputation is to allow international peacekeepers to deploy rapidly into East Timor to stop this senseless bloodshed.

Let me say another word about the U.S. role in this peacekeeping mission. As many of my colleagues know, I have been a vocal opponent of U.S. deployments to such places as Bosnia and Kosovo. While I support the concept of an international peacekeeping force led by countries from the region, it is my strong preference as it was in those cases that U.S. troops on the ground in East Timor not be a significant part of this peacekeeping mission. Our troops are currently overextended in open-ended commitments in such places as Bosnia, Kosovo, and Saudi Arabia. We should do whatever we can to limit our involvement in these places and be very hesitant to get deeply involved in any new missions of this sort.

That said, however, I am open to supporting a request to the Congress from the Administration for U.S. financial, diplomatic, communications, and logistical support for an international peacekeeping mission to East Timor that is led by countries in the region. The Administration must continue to consult closely with the Congress prior to making any commitment to assist with such a peacekeeping mission.

I believe strongly that the United States must develop criteria for deciding whether and where and how deeply to get involved in peacekeeping missions abroad. Our men and women in uniform and their families deserve to understand the dangers of proposed missions and to be given a good-faith estimate of their length.

As my colleagues know, I oppose our continuing involvement in the Balkans. The Administration argued that our action against the Federal Republic of Yugoslavia was necessary for humanitarian reasons. The trouble I have with our operations in Kosovo is that we have not shown the same willingness to intervene outside of our hemisphere to places like Rwanda and East Timor. What constitutes a humanitarian tragedy that warrants involvement by the United States military? The answer to that questions seems to change frequently under the current policy. I am affraid we really have no policy framework to address this crucial question. But the question will continue to arise and will do so with increasing frequency.

In my view, the legal case for international intervention in East Timor is more compelling than the situation in Kosovo because of the long-standing legal disputes over the political status of the territory, as well as the clear expression for self-determination by the people of East Timor on August 30. The people of East Timor cast their votes in a ballot sanctioned by the Indonesian government and supervised by the United Nations.

The East Timorese were promised a secure environment in which to express their honest views about the political future of their homeland. Instead, they had to endure intimidation by armed thugs supported by the army and by elements of the government that had sworn to protect them and to respect their wishes. Yet miraculously almost 99 percent of registered voters went to the polls, bringing along their courage and a commitment to freedom. And then when the militias began a murderous rampage, the government did nothing. They would not grant the international community the power to act.

So again, Mr. President, let me reiterate my view of the next crucial steps that must be taken in East Timor.

An international peacekeeping force must be deployed as rapidly as possible.

We must quickly and concisely define the scope of a limited U.S. role in the peacekeeping mission.

The international community must keep the pressure on the Indonesian government, and the peacekeepers, humanitarian workers, and war crimes investigators must be allowed full access to East Timor. And it all must happen as soon as possible. Thousands of lives and the legitimate hopes of a people hang in the balance.

I ask unanimous consent that an editorial from today's New York Times entitled ''Effective Force for East Timor'' be printed in the RECORD.

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

AN EFFECTIVE FORCE FOR EAST TIMOR

''We cannot wait any longer,'' Indonesia's President, B.J. Habibie, said on Sunday. ''We have to stop the suffering and mourning immediately.'' With those words, Mr. Habibie bowed to world opinion and agreed to allow international peacekeepers into East Timor. But important, questions remain about when—and with what powers—the force will go in. The international community needs to maintain political and financial pressure on Indonesia to accept a force large and powerful enough to protect East Timor's people—and to do so immediately, before thousands more are killed.

Militias created and backed by Indonesia's military have been rampaging in East Timor for months, but the violence dramatically worsened after an Aug. 30 vote that overwhelmingly supported independence for the disputed province, which Indonesia invaded and swallowed in 1975. The militias have set

fire to much of the territory and killed perhaps thousands of people, many of them the pro-independence intelligentsia. Others have been rounded up and taken to West Timor, and tens of thousands have fled to the mountains, where they are in danger of starving.

Mr. Habibie's announcement that he would accept an international force took considerable political courage, as the idea is hugely unpopular with Indonesians and especially with its powerful military establishment. He agreed after several countries began to cut off joint training exercises, as well as military aid and sales, and important donors and the International Monetary Fund and World Bank suggested that they would condition further assistance on Indonesia's performance in East Timor.

The peacekeeping force, which requires the blessing of the United Nations Security Council, would be organized and led by Australia. Australian officials say they will provide about 4,500 of the anticipated 7,000 troops needed if Indonesia's military in East Timor is cooperative. They say they can get 2,000 troops to East Timor within 72 hours of United Nations approval.

President Clinton says that Washington does not anticipate providing ground troops for the mission, but that American support forces would assist with logistics, intelligence, airlift and coordination. Australia has maintained that American expertise is needed for these tasks, and this is an appropriate role for the United States.

Yesterday the Security Council met to hear a chilling report from a delegation of U.N. ambassadors that had just returned from East Timor, and to begin to negotiate the details of the force. Happily, Indonesia has retreated from earlier statements that the unit should contain only Asians. The world needs to keep up the economic and diplomatic pressure to convince Mr. Habibie that the force must be able to detain militia members or Indonesian soldiers who terrorize the population or menace peacekeepers.

President Habibie has already agreed to a commission to look into human rights violations. Those investigators must be able to work freely. Most crucial, Mr. Habibie cannot be permitted to stall. There will soon be nothing left of East Timor to save.

Mr. FEINGOLD. I, again, thank the majority leader for the opportunity to address this matter at this time, and I yield the floor.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS

The PRESIDING OFFICER. Under the previous order, the clerk will report S.J. Res. 33.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 33), as modified, deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

The Senate proceeded to consider the joint resolution.

Mr. FEINGOLD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COVERDELL. 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. COVERDELL. Mr. President, parliamentary inquiry. It is my understanding that we are now on S.J. Res. 33.

The PRESIDING OFFICER. Yes. By unanimous consent, there are 2 hours of debate on S.J. Res. 33 equally divided between the two leaders or their designees.

Mr. COVERDELL. Mr. President, I want to read the resolution to open this discussion. It is a joint resolution deploring the actions of President Clinton regarding granting clemency to FALN terrorists:

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials none expressed remorse for their actions;

I am going to repeat that clause, Mr. President:

Whereas at their trials none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered conditional clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the State Department in 1998 reiterated two long-standing tenets of counter terrorism policy that the United States will: ''(1) make no concessions to terrorists and strike no deals''; and ''(2) bring terrorists to justice for their crimes'';

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That making concessions to terrorists is deplorable and that President Clinton should not have granted clemency to the FALN terrorists.

I commend the House of Representatives. It has already passed House Congressional Resolution 180: 311 voting aye, 41 voting no, and, in an unprecedented act, 72 voting ''present.''

I conducted a hearing this morning, the witnesses of which were former New York Detective Senft, former New York Detective Pastorella, the president of the Fraternal Order of Police, Mr. Gallegos, and a son of one of the victims of the New York bombing at a restaurant, Fraunces Tavern, in New York, Mr. Connor.

It was a very moving hearing. The two detectives, one of whom, in the bombing in New York by this organization, has lost permanent sight in one eye, some 60 percent of his hearing, and has gone through, I guess, some 16 reconstructive operations. The other detective is permanently blind and has lost the majority of his right hand. They made rather poignant statements. They said that there would be no pardon for what they had suffered; there would be no clemency; that theirs were life sentences. Both nearly lost their lives. One still has metal particles in his stomach and shoulders from the bombing.

Mr. Connor, very movingly, talked about the notice that he and his mother received on his 9th birthday that their father, an innocent 33-year-old, who had taken a client to lunch, had died in the bombing.

It was sort of interesting; Detective Senft, 2 years ago, began writing the President about this matter, to which there has been no response. Several of the witnesses talked about having written the Attorney General and the White House, with no response. To me, it is hard to imagine that such a letter would come to the White House or to the Attorney General and not be responded to.

Lieutenant Senft over 2 years ago wrote and has yet to receive a response. Mr. Connor cited current law which requires that victims are to be notified of the release of prisoners in cases in which they were involved.

None—neither of the detectives nor the Connor family—have been notified at all.

One of the concerns that came out of the hearing was to embrace these questions so our committee, and the Judiciary Committee, can make appropriate inquiries as to what was done to advise these individuals. In the hearing they pointed out that the clemency advocates have had numerous meetings with the Attorney General's Office and others in the Government, but those who would oppose it have had none, and requests to have these meetings have gone without response.

The representative of the Federal Bureau of Investigation, who was to have testified on behalf of the Government to try to explain how this policy would not be incongruous with Federal policy with regard to the handling of terrorists, at 9:30 last night, notified the committee they would not testify, that they had been instructed not to testify by the White House.

So the inquiries over the last 2 weeks to give the administration an opportunity to air their view of this circumstance and how it interacted with U.S. policy with regard to terrorism

went unheeded, and neither the State Department nor the Justice Department nor the Federal Bureau of Investigation would even make a witness available on behalf of the committee to air the Government's view with regard to this act on the part of the President.

No one is challenging the President's right and power to grant the clemency. To the extent they say, well, it is a constitutional power, et cetera, that is a smokescreen. What we are trying to understand is what its effect is on U.S. policy with regard to terrorism.

Interestingly—to comment just a moment or two more on the hearing—I posed the question to the witnesses that the President has endeavored, in his clemency finding, to draw a distinction for these 16 terrorists, indicating they themselves did not actually throw or place the bomb.

These were conspirators. These were planners. Senator SESSIONS so eloquently stated the other day that one of the reasons they did not get to do that is they were caught with all these weapons in their van. In other words, if you are an unsuccessful terrorist, you have a higher standing under U.S. law than if you are a successful terrorist.

But when the question was posed to the panel, Mr. Gallegos, who is president of the Fraternal Order of Police, said: Wait a minute. What kind of question are we introducing to the adjudication of criminal activity? He said: For example, if you are the get-away driver in a bank robbery—you did not actually rob the bank—under U.S. law you are as guilty and subject to as much of a punishment as the man who walked into the bank.

I mentioned the other day on the floor, under this theory of separation of degree, why is Bin Laden a No. 1 fugitive for the United States? He didn't drop the bombs in Kenya and Tanzania. He was a conspirator, as these people were. I asked the question—and I will turn to my colleague—what this did to the morale, and New York Detective Senft said it undermines every active-duty law enforcement officer. He said, as damaged as he is permanently in life, he took solace that the perpetrators who attacked him were in prison. It has been a devastating fact for him to know that clemency can be granted for that kind of activity. All of the law enforcement officials said these decisions were particularly devastating to men and women on America's front line protecting citizens day in and day out from these kinds of hostilities and violence.

With that, I yield up to 15 minutes of our time to the Senator from Texas, Mr. GRAMM.

Mr. DURBIN. May I inquire of the Senator from Georgia?

Mr. COVERDELL. Yes.

Mr. DURBIN. May we have some understanding of how the time will be allocated? It is my understanding that, generally speaking, we have an equal amount of time on a side, and 1 hour is allocated to this debate. Senator CONRAD is here on the Democratic side; he would like to speak for 10 minutes. I see the Senator from Georgia has at least two colleagues interested in speaking. Could we reach some kind of agreement as to how we will proceed?

Mr. COVERDELL. Mr. President, in response to the Senator from Illinois, that is a perfectly legitimate question. My idea is to go to the Senator from Texas, back to your side, and then back to our side. After the Senator from Texas has 15 minutes, of course, which will be counted against our side, it will be about 10 minutes and 10 minutes back and forth.

Mr. DURBIN. Mr. President, how much time of the Republican side has been used to this point?

The PRESIDING OFFICER. Fifteen minutes.

Mr. DURBIN. Another 15 minutes from your side will mean you have consumed 30 minutes of your 1 hour of debate before we have spoken. So can we agree that after 15 minutes we would have the remaining time until 12:30?

Mr. COVERDELL. With one exception. Senator KYL has come to the floor and asks that we give him some opportunity in that timeframe. I ask the Senator from Texas if he might limit his remarks to 10 minutes so we can accommodate Senator KYL.

Mr. KYL. Mr. President, I have the obligation of chairing a nominations hearing in the Judiciary Committee at 2 o'clock, which I am sure my colleagues on the other side would like to move forward on, since all of the nominees appear quite qualified and presumably could move forward.

I ask unanimous consent that I may take 30 seconds to express my support for what the chairman is doing and then put a statement in the RECORD. That would be satisfactory from my standpoint.

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

The Senator from Arizona.

Mr. KYL. Mr. President, I have had the pleasure of attending the subcommittee meeting this morning, and I heard witnesses who are victims of the terrorists who were given clemency. It was a heartbreaking experience, frankly, because at the conclusion of it one understands that we haven't closed a chapter by doing this. In fact, the President has probably opened a new chapter. I believe there will be additional terrorism as a result of the clemency that he ordered. I hope that will be addressed by this Senate, working together with the administration, so we can continue a policy which has been effective heretofore, and that is making certain that terrorists are hunted down, prosecuted, and incarcerated so they can't commit terrorist acts again.

To the extent the President's actions in this case were different from that past policy, they should be condemned, and we as a Senate should make sure it doesn't continue in the future. So I commend the chairman of the subcommittee for holding his hearing. I indicate again that the Judiciary Committee will have its hearing tomorrow and will have more to say about this.

The PRESIDING OFFICER. Under the previous agreement, Senator GRAMM is recognized.

Mr. DURBIN. Mr. President, I wasn't aware that there was an agreement. Can we restate it so there is a clear understanding? The Senator from Texas will speak up to 15 minutes; is that correct?

Mr. GRAMM. I have been recognized for 15 minutes, as I understand it.

The PRESIDING OFFICER. Then the Senator's side will have the remaining time.

Mr. DURBIN. We will try to maintain the floor until 12:30, which I understand we have agreed to.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, let me remind everyone how we came to this point under the leadership of Senator COVERDELL. A resolution was introduced condemning the President's decision to grant clemency to 16 terrorists who were part of a wave of violence and death across the country that started in the mid-1970s and ended when these terrorists were incarcerated. We sought to bring that resolution to a vote on the floor of the Senate. Our Democrat colleagues, using their rights under the rules of the Senate, objected. We were forced to file cloture to force the consideration of this resolution, and that cloture motion carried. Now we are in the process of debating a resolution where Congress, in this instance, takes the strongest action it can under the Constitution, and that is condemn the President's actions.

The President is given, under the Constitution, the power of pardon. There is nothing we can do that would override that constitutional prerogative. But while the President has the right to pardon, I believe the President is profoundly wrong in pardoning these terrorists.

Now, I wish I had the ability of our President to articulate so clearly and to put a human face on so many of the public policy issues he discusses because there is a very real human issue involved here. It started with a bombing of historic Fraunces Tavern in Manhattan.

This is the front page of the New York Times from Saturday, January 25, 1975. In this article, in excruciatingly painful and bloody detail, it outlines how a bomb was set the day before, how it decimated this restaurant, injured 44 people, killed 4 people, decapitated 1 person. These were innocent people who just had the bad luck to go to lunch at this place, at that time on Friday, January 24, 1975.

Some of my colleagues may have read a recent article in the Wall Street Journal, written by two sons of a man who had the bad luck of going to lunch that day in that tavern. Basically, they put a human face on that one brutal

murder. The picture they drew was that of a young man who grew up in a very poor family. Actually, he grew up in a Puerto Rican neighborhood in New York and worked his way up to be successful. Today, both of his sons are investment bankers. So in that sense, he was successful. But he died—and he was 33 years old—because a group of brutal murderers, calling themselves a ''liberation army,'' planted a bomb that day in New York that took this man's life, took him away from his family. The FALN—this terrorist group—claimed responsibility and, in fact, left a note near the bomb scene outlining their grievances.

They said they had grievances. So they injured 44 people and brutally murdered four people.

That started a reign of terror—the greatest terrorist assault in the history of the United States of America in our homeland among our people, innocent people. This reign of terror continued until these terrorists, now pardoned by the President, were arrested and incarcerated.

Our President says, and I quote, talking about these terrorists:

> They had served very long sentences for offenses that did not involve bodily harm to other people.

It is true that while they are the core, or were the core, of this terrorist organization, while they were its leadership, and while they were arrested and convicted for engaging in terrorist activities—they were convicted of things such as unlawful storage of explosive materials—it is also true that the terrorist attacks ended when they went to jail.

So you can say they weren't convicted of these specific, brutal tavern murders in New York. They weren't convicted of the bombing on New Year's Eve in 1982 when a New York City police headquarters and other sites were bombed, and in the process you had victims who were blinded in both eyes, who lost five fingers on their right hand, who lost hearing, who required 13 major surgical operations on their face alone, and had 20 titanium screws put in place to hold their face together. They weren't convicted of those particular crimes, but they were leadership, the core, of the organization that claimed credit. Those crimes ended when they went to prison.

They were part of the leadership of that organization. They were accessories whether they were there and planted the bomb or not; we do not know, we may never know, but they were accessories before and after the fact as part of FALN. Yet the President says they were nonviolent.

If you are going to put a human face on it, you would have to go back and talk to these police officers who have been blinded, and who have had their faces destroyed. You would have to talk to the children and grandchildren of these people who were murdered in the tavern in New York.

I call that violence. I call that a fundamental assault on the American people. This is not a violence where someone is selected for retribution, wrong as it may be, for an act they committed. This is violence against people who had nothing to do with this desire to see Puerto Rico an independent nation. These were people living their lives, routinely going about their business, who certainly didn't know about this group, or if they knew, they weren't in any way involved.

So to say that these people were nonviolent, who were the core of this terrorist organization that planted 130 bombs that killed and maimed across America, is an outrage.

While I know our President has no shame, he ought to be ashamed of that statement.

What are we doing? We are here because the President of the United States decided, based on pleas made by various individuals and groups around the country to grant a pardon—clemency—to these people who were leadership of a group that planted 130 bombs in America over a 7-year period and that brutally killed and maimed our fellow citizens.

I don't understand the President's action. The FBI was reported to be opposed to it. The Justice Department and the prosecutors who were involved were opposed to it. Maybe I should take the Justice Department out. I don't know. They probably have not heard about it yet. But the prosecutors who were involved were opposed to it. Law enforcement officials across the country were opposed to it. It was supported by some political leaders of the Puerto Rican community in New York.

Quite frankly, I don't understand that. Many of these terrorists weren't even from Puerto Rico. They were born in the United States of America.

Yet somehow, despite the fact that Americans were killed and maimed, these terrorists are given special status, seemingly because they could identify a cause, a cause, interestingly enough supported by only 2.5 percent of the people who voted in the December 1998 plebiscite in Puerto Rico.

We will never know why the President did this. If he did it to court political support for Mrs. Clinton running for the Senate in New York, it turned out to be a bad deal. It turned out to be something that probably was harmful and not helpful.

But let me tell you why I am concerned, which goes beyond politics.

What the President did was lower the cost for committing acts of terrorism in America. He lowered the cost for committing acts of terrorism in America by pardoning people who participated in a reign of terror that, as far as I am aware, is unparalleled in America's history.

If we are going to pardon people who brutally murdered innocent citizens, who maimed and mutilated police officers, then what is the penalty for terrorism?

The President says President Carter urged him to pardon them.

It is very interesting to note when these acts of terrorism accelerated. In fact, the police headquarters in New York City was bombed 3 years after then-President Carter pardoned the Puerto Rican terrorists who came into this sacred temple of American democracy—the Capitol Building—when there was a quorum call on in the House of Representatives and stood in the House balcony and shot and wounded Members of the House of Representatives. In fact, there is still a bullet hole in the ceiling of the House of Representatives. There is still a bullet hole in the drawer of the Republican leader's desk from that day in 1954.

President Carter decided in 1979, 4 years after the Fraunces Tavern bombing, to pardon the Puerto Rican terrorists—which is an inaccurate media description because many of these people were born on the mainland of America—who in this great temple of democracy assaulted civilization itself. He pardoned them and let them out of prison.

Three years later, this terrorist group bombed New York City police headquarters, the Manhattan office of the FBI, and the Metropolitan Corrections Center in New York.

Here is the point. Jimmy Carter, as President, lowered the cost of committing terrorist acts. Those terrorist acts accelerated after that pardon in 1979.

Now the President has pardoned the members of the very group that claimed credit for those acts, and who were convicted, among other offenses, of storage of explosives and conspiracy to make bombs. So, obviously, they were planning more attacks and more bombing. They claimed credit for the bombings in New York—the bombing of the police headquarters, the killing of innocent citizens, the mutilation of police officers.

Now the President has pardoned them. I would like to conclude with these points.

The President and his spokesman on many occasions have said that fighting terrorism is the No. 1 objective of his administration, that the greatest threat we face in the world today is the threat of terrorists. Obviously, there is some other objective somewhere that is of a higher order because for some reason the President pardoned these terrorists.

I think it was a terrible mistake. I believe the American people will hold President Clinton accountable for it. I want to know how the process occurred and whether the process outlined in law was followed. Whatever the process was, the decision was wrong. I believe we should condemn it in the strongest possible language.

I hope we get strong bipartisan support. I hope we don't have in the Senate what we saw in the House when some Democrat Members of the House didn't vote yes and didn't vote no. The best they could do is to say they were there that day, and they voted ''present.'' I don't think this is an issue

where Members want to vote ''present.''

I want people to know I think it was an absolute outrage that the President did this. He ought to be ashamed of it. The American people ought to hold him accountable. The Congress, in the strongest action we can take in this matter, is deploring the President's action.

I thank our colleague from Georgia for his leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. CONRAD. Mr. President, on the subject that has been discussed by the Senator from Texas and the Senator from Georgia, I think the President did make a mistake. I don't think it was appropriate to extend clemency to these people. I hope this is an issue that we can address by resolution and make clear where the Senate stands. We are going to have an opportunity to do that.

FISCAL YEAR

Mr. CONRAD. Mr. President, this morning I got up and, as is typically my habit, I opened up the Washington Post to see what was there. I turned first to the sports page to see how my Baltimore Orioles performed. I got good news there. That was a welcome addition to my morning.

On the front page of the Washington Post I was very surprised to see this headline: ''GOP Seeks to Ease Crunch with 13-month Fiscal Year.''

I have heard of some gimmicks in my time. Now we see our friends on the other side, who are not able to meet the legal requirement that they pass the appropriations bills on time by October 1, have resorted to a new concept. Instead of having a 12-month year, we will have a 13-month year.

I think our friends are going off on a tangent that should not be pursued. I think this would be a profound mistake. The last thing we need to do is solve our fiscal problems by creating a fiction of a 13-month year. That isn't what we need to be doing. We need to address directly and forthrightly the problem we face in trying to avoid raiding the Social Security trust fund. Let's do it honestly. Let's do it directly. Let's not engage in the fiction of creating a 13-month year in order to resolve the fiscal challenges facing this country and this Senate.

That is what the Republicans have come up with. They point out in the story:

> By creating this fictitious 13th month, lawmakers would be able to spend $12 billion to $16 billion more for labor, health, education and social programs than they otherwise would be permitted under budget rules.

What are we doing? We are going to create a 13th month to deal with the fiscal problems of the country? I don't think so.

Senator SPECTER is apparently one of the backers of this idea.

> ''We all know we engage in a lot of smoke and mirrors,'' said Senator ARLEN SPECTER, chairman of the Senate Appropriations subcommittee, ''But we have to fund education, NIH, worker safety and other programs. It's a question of how we do it.''

I agree with it being a question of how we do it. The last thing we ought to do is create a 13-month year. If we want to cause a lack of respect of people in the country for the Congress, this is the way: Adopt the Republican proposal that the way to solve our fiscal problem is to create a 13th month.

I began looking at the calendar to try to figure out where we would add this 13th month, what we would call it. One thought that we had is that maybe we could have January, February, and then ''Fictionary''—kind of a fictional 13th month. Maybe that could be the month: January, February, and Fictionary.

Or maybe we ought to have ''Spend-tember,'' after September, or maybe before September. We could have ''Spend-tember'' for the 13th month.

There is something wrong with what our colleagues on the Republican side have come up with. Thirteen months? I don't think the American people are going to buy this. Everybody knows there are 24 hours in a day, 7 days a week, and there are just 12 months in a year. Search as we might, here is the calendar; there are only 12 months; there is no 13th month. That is not the solution to our problem.

If we started thinking of where we would add this month, some would advocate two Decembers. That would have a certain attractiveness. We would have two Christmases, all the retail sales twice. That is not a bad idea.

On this idea the Republicans have come up with for 13 months to solve our fiscal problems, my choice is to see 2 Octobers. I am a baseball fan. I could have the World Series twice. Others might have a different idea of where we could add a month.

I must say to our Republican friends, why stop at 13 months? If this is the way we are going to solve the fiscal problems of our country, let's go to 14 months, maybe add 15. Somebody in my office suggested we go to 24 months. That way, we would be able to double everybody's income in a single year. We would be able to have twice as much spending in a single year if we went to 24 months. I think we have real opportunities. If we keep adding enough months, we can completely avoid the Y2K problem altogether. Now this is a real opportunity, and I don't think we want to miss it.

Mr. DURBIN. I say to the Senator, if he yields for a question, if we can extend the year to avoid the tough decisions on the budget and not only avoid Y2K, but we can repeat the month of December and have Christmas sales and inject in the economy a lot more life—and of course kids enjoy Christmas—perhaps the Republican leadership is onto something by extending the year an additional month for budgetary purposes.

Mr. CONRAD. There are lots of good ideas coming out on this idea to extend the concept that our Republican friends have come up with to go to 13 months in a year in order to solve our budget problems. The last time we made a major change in the calendar, it was made by the Pope. I am not sure what that says about those putting forward this proposal, other than I can't wait to see what they come up with next.

I don't think this is the solution to the fiscal problems of America; 13 months is not the answer.

Going back to the headline, it really is kind of stunning: ''GOP Seeks to Ease Crunch with 13-month Fiscal Year.''

One person who has commented on this in this morning's paper is Robert Bixby, head of the Concord Coalition, a budget watchdog group. He says they are degrading themselves and we degrade the budget process by resorting to these budget gimmicks.

The only disagreement I have with that is, this goes way beyond gimmick when all of a sudden we are going to take a 12-month year and make it 13 months to address the budget problems of the country. I think our Republican friends have gone off in the weeds. I hope they reconsider. This is a mistake.

If we start going in the direction of adding months, where is this going to stop? We have 12 months. Thirteen months? Fourteen months? Are we going to be able to solve all the problems of the country if we start to engage in fiction? That is not the direction we ought to take. Does my colleague from North Dakota agree?

Mr. DORGAN. If my colleague will yield, this is remarkable. I was eating Grape Nuts, actually, when I read that this morning. That is not always a pleasant experience unless you have plenty of sugar. And then you get the newspaper and you read a headline that says, ''GOP Seeks to Ease Crunch With 13–Month Fiscal Year.''

I am thinking to myself, I have been around this place for some time and have grappled with a lot of fiscal policy problems. If we had thought of this a long while ago, we would not have all of these problems. If you have a problem, just change the calendar.

That would raise of course the question of what to name this new month. I suppose if they were really serious they could do what all the sports stadiums do, and just sell the name. How much money could you raise with a Microsoft month or a US Airways month? I suppose there are all kinds of possibilities along this line. But I think most people would look at this and say that it is not very serious governance—when you have a problem you cannot fix you create another month and then pretend you fixed it.

Some State legislative bodies have a rule that they must adjourn by a particular time. So what they do occasionally, is to take a black cloth and cover

the clock. Now we have budgeteers who think the way to solve a fiscal problem is to add another month to the calendar.

I don't know. We hear a lot of Byzantine and bizarre suggestions in this Chamber from time to time. But this one has to rank right up there. As a young schoolboy in the southwestern ranching country of North Dakota, I learned the days of the months through a little ditty. We all know it. Perhaps now it should be changed:

Thirty days hath September,
April, June, and November,
All the rest have 31,
Except the Republicans,
They have an extra month.

This is going to be confusing to a whole generation of schoolchildren if the GOP decides they are going to mess with the calendar.

We have had the lunar calendar, the solar calendar, the Gregorian calendar—I assume my colleague explained much of the history of the calendar. Perhaps the creative minds here in the Senate will make history when they try to find their way out of the corner into which they have painted themselves.

Let me yield the floor at this point to my colleague from North Dakota.

Mr. CONRAD. The Wall Street Journal, back in July, had this headline: ''The GOP Uses Two Sets Of Books.'' Now we are going to have a new headline: ''The GOP Uses Two Calendars.'' We have the one with 12 months, which I guess will run all the rest of our lives, but for budget purposes we will have 13 months.

The second part of the story in the Washington Post today said: Senate Republican leaders embrace a longer fiscal year to ease spending woes. They want to spend the money, but they want to make it appear as though there is less spending in this year, so they add a 13th month. I don't think that is going to fool anybody. It certainly should be outside the rules of this body, if we are going to be serious about maintaining the fiscal discipline that has done so much to restore the fiscal integrity of this country.

For the first time in 30 years, we have been able to balance the budget, largely as a result of the 1993 budget plan we passed. We received no help from our friends on the Republican side—not a single Republican vote, not one. That was a plan which put us on a path to reduce the deficit each and every year of the 5 years of that plan. In 1997, we added a little bit. That was done on a bipartisan basis. That was good. We did something together.

But now our Republican friends are retreating to the notion that the way to solve the fiscal problems of the United States is to add a 13th month. That cannot be a serious proposal. I cannot believe our colleagues are going to engage in that kind of charade and that kind of game and that kind of gimmick in order to address the serious fiscal problems facing the country. After all, this progress has been made—getting our fiscal house in order—having the lowest inflation rate in 30 years, the lowest unemployment rate in 30 years, the longest economic expansion in our history. We are now going to resort to budget gimmickry to address the additional challenges that we face? That is not the way a great country does its work.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. CONRAD. I will be happy to yield.

Mr. DORGAN. Mr. President, we have had an opportunity to discuss this a bit, the gimmickry of doing all of these things. I was talking to my colleague, Senator BYRD, who has spent a great deal of time on the floor telling us about Roman history. We were just discussing the front page of this morning's newspaper with the headline about the easing of the fiscal crunch by creating a 13th month. Senator BYRD indicated that Julius Caesar in trying to reconstruct the calendar, somewhere around 46 B.C., decided he was going to have a 15-month year. Senator BYRD knows about all of these things. He has given wonderful lectures on the floor of the Senate about the rich history of the Roman Empire.

I just now learned this from our distinguished colleague. So apparently, I would say to Senator CONRAD, what we are discussing today has been done before. Julius Caesar did it, and he added 3 months to the calendar, apparently.

Mr. BYRD. Will the Senator yield?

Mr. DORGAN. Certainly.

Mr. BYRD. He was assassinated 2 years later, though.

Mr. DORGAN. If the Senator will yield, it seems to me that lends credibility to the question of whether or not this ought to be done. Those of us who wonder whether this is a good idea might take lessons from the history that is offered by Senator BYRD.

Mr. CONRAD. Can you imagine? I wonder what is going to happen in the schools of America now that the Republicans have said there are 13 months. Can you imagine the confusion of the elementary schools as they are teaching children their months? Where is this month going to fit? What is it going to be called?

I know the Senator from North Dakota has children in school. Have they been advised of this change?

Mr. DORGAN. They have already weighed in. They would prefer it fall in the summer. My children are in seventh and fifth grades, and if there is to be an extra month, they would prefer it fall somewhere in the summer.

Mr. CONRAD. Did they have any idea for a name of the month?

Mr. DORGAN. No. In fact, I was thinking this morning when I read this that we probably should have some kind of a contest, to create a name. Then too, as I indicated earlier, almost everyone today is selling names. If this is institutionalized as a month without a name, clearly one could offer it for sale.

Mr. CONRAD. Something like Federal Express month?

Mr. DORGAN. That's right, or Microsoft month or U.S. Steel——

Mr. CONRAD. Microsoft month. That might be a lucrative thing, to auction this off. That might be a way to solve the budget problem, instead of going to the 13-month plan the Republicans have, is to actually auction off a month. I think kind of the leading alternative, at least in my office, is ''Spendtember.'' That has gone over pretty well.

Mr. DORGAN. If the Senator will yield, there is nothing to stop the Senate at 13 months. This relates to the whole aging process, which I think would be of great interest to a number of Senators. If this Senate enacted a longer year, and perhaps went to 15, 18, or even 19 months, we would have folks running for election who are 75 years old but who could claim they are only 68.

Mrs. MURRAY. Will the Senator yield?

Mr. CONRAD. I will.

Mrs. MURRAY. I thank the Senator for bringing up this headline. I, too, was struck by this new concept of adding a month to our calendar in order to solve the problems of the country. I agree, it has to be humorous; otherwise, we would all be crying. Because, truly, when I go home what my constituents tell me is what I think everyone is hearing: We have priorities in this country, particularly education. They are worried about preschool. They are worried about Head Start. They are worried about whether or not their child is in a class that is small enough that they get the individual attention they need. They are worried about whether or not their teachers have the kind of training they need to teach their children. They certainly are worried about school construction and the ability to send their child to a safe school.

We had a whole hearing this morning about school violence. But teachers have not come to me and said: How do we add this to our curriculum, explaining a whole new month that has been added by the Senate?

I know my colleague has worked with me on the Budget Committee for the last 7 years. We have worked very hard to reduce the deficit. There was a $300 billion deficit when we arrived here in 1993.

We worked hard to be real. Despite the humor we have in this debate today, we need to get real about the budget; we need to get real about our priorities; we need to recognize we cannot put a priority on education verbally and put it at the end of the pile when it comes to the budget and then come up with gimmicks to pay for it.

I ask the Senator to comment because we worked on this together for many years.

Mr. CONRAD. Mr. President, I thank the Senator from Washington. She is exactly right. We do face a problem

this year, and the problem is we have these budget caps that were agreed to in 1997, and now things have gone better than anybody anticipated. We have been able to get our fiscal house in order. The question is how we maintain that discipline and at the same time fund the urgent priorities of the American people, especially education.

As was said by budget expert, Robert Reischauer, the former Director of the Congressional Budget Office, this notion the Republicans have come up with to just add a 13th month does not solve the problem; it avoids the problem. We will have spending caps in 2001 and 2002 as well, so all we have done is postpone and magnify the problem. We will have actually made the problem worse.

There is humor in this. I think we all see almost a theater of the absurd in the notion that our Republican colleagues have come up with as a way to solve the problem, which is to add a 13th month.

I say on a serious note, let's not do that. We have had success in getting our fiscal house in order by being straight with the American people, by passing legislation that fits our spending to our income. Let's not create a fix such as this in order to support a massive, risky, radical, reckless tax cut scheme which our friends on the other side have come up with that threatens the fiscal discipline that has been put in place, that has put us in such a strong position.

I thank the Chair and yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

Mr. COVERDELL. Parliamentary inquiry.

Is the matter of business before the Senate S.J. Res. 33?

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. Could the Chair please advise the Senator from Georgia as to the time remaining on each side?

The PRESIDING OFFICER. The Senator from Georgia controls 26 1/2 minutes; the other side has 39½ minutes.

Mr. COVERDELL. I thank the Chair.

Mr. President, I yield up to 10 minutes of our time to the distinguished chairman of the Judiciary Committee, Senator HATCH.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank the Chair and my colleague from Georgia.

On January 24, 1975, during a busy lunch hour, an explosion ripped through the historic Fraunces Tavern in New York City, killing four people and injuring 55 others. On August 3, 1977, during the morning rush hour, a powerful bomb was detonated in a busy New York office building, killing one man and injuring several others. Credit for both these bombings was proudly taken by a terrorist organization calling themselves the FALN, an acronym from a Spanish title meaning the Armed Forces for Puerto Rican National Liberation.

In March of 1980, armed members of the FALN entered the Carter-Mondale campaign headquarters, bound and gagged women and men inside, and held them at gunpoint as they ransacked the offices. The FALN took credit for bombings and incendiary attacks in New York City, Chicago, and Washington, D.C., attacks which took place in department stores, office buildings, restaurants, even a women's restroom. In all, the FALN has been linked to over 150 bombings, attempted bombings, incendiary attacks, kidnappings, and bomb threats, which have resulted in the death of at least six people and the injury of at least 70 others.

On August 11, 1999, President Clinton, who up to this point had commuted only three sentences since becoming President, offered clemency to 16 members of the FALN. This to me, was shocking. And quite frankly, I think I am joined by a vast majority of Americans in my failure to understand why the President, who has spoke out so boldly in opposition to domestic terrorism in recent years, has taken this action.

In subsequent spinning, the White House has pointed out that the 16 offered clemency were not convicted of the actual attacks that killed or maimed people. But many of these 16 were involved in building bombs, and in storing and transporting explosives, incendiary materials, and weapons. In one raid alone involving the terrorists President Clinton has released, law enforcement recovered 24 pounds of dynamite, 24 blasting caps, weapons, and thousands of rounds of ammunition, as well as disguises and false identifications.

The administration argues that none of these people were ''directly'' involved with activities that hurt people. But these people, to the contrary, were convicted of conspiring to commit acts of terrorism. According to former Assistant U.S. Attorney Deborah Devaney, several of the FALN terrorists were captured in a van full of weapons and others were videotaped making bombs that they planned to use at military institutions.

It is only because of the good work of law enforcement that these terrorists were caught and convicted before these deadly devices were used to take additional innocent human lives. Osama bin Laden is on the FBI's Most Wanted List for conspiring to commit acts of terrorism. According to the administration's logic, he too should be let go, if captured, because he was not directly involved in acts of terrorism, although we all know he has been funding the terrorist acts.

The administration also argues that these prisoners received longer sentences than they would have under the sentencing guidelines. Well, there are thousands of people in jail who were sentenced before the guidelines. Does each of them deserve to have their sentences reduced? The President will have to pick up the pace of clemency offers if he is to right all these so-called wrongs in the 15 months left in his term.

This whole episode raises a number of questions about this administration's approach to law enforcement and the rule of law in general. Were the normal procedures followed in the processing of clemency opinions? What set these 16 prisoners apart from the more than 4,000 who have petitioned this President for clemency, or the other tens of thousands serving time across the country? What prompted the President to make this offer of clemency? Who recommended it? On what basis was it granted?

Whatever the administration's arguments, the bottom line is that the President's ill-considered offer of clemency has now been accepted by 12 of the 16 FALN members, many of whom are now back on the streets.

These are people who have been convicted of very serious offenses involving sedition, firearms, explosives, and threats of violence. The FALN has claimed responsibility for past bombings that have killed and maimed American citizens. I personally pray that no one else will get hurt.

This is yet another example of this administration sending the wrong message to criminals, be they foreign spies, gun offenders, or, in this case, terrorists.

In this case, it appears President Clinton put the interests of these convicted criminals ahead of the interests of victims, the law enforcement community, and the public. I think we need to know: Did the Justice Department do its job?

There are substantial questions as to whether the normal process was followed in this case. Reportedly, the President made his clemency offer over the strong objections of prosecutors, the FBI, the Bureau of Prisons, and the victims of crime. In the Wall Street Journal today, Mr. Howard Safir, the New York City police commissioner, asserts that:

> In my 26 years as a Justice Department official, I have never heard of a clemency report being delivered to the President over the strenuous objections of these agencies. The Department of Justice and the Attorney

General apparently did not even take a formal position on the matter, even though the Department's own rules require doing so.

Here we have another example of what people suspect: The Attorney General is asleep at the switch while the White House runs the Justice Department.

As chairman of the Senate committee with oversight of the Department of Justice, I have requested copies of all relevant documents, including the Department's memo to the White House. Even our colleague, Senator SCHUMER from New York, believes we should have these documents. But so far the Department has refused to turn over anything.

The White House and the Justice Department are hiding behind their tired, old ploy of ''studying'' whether to assert executive privilege. If the President has confidence that his decision was a just one, then he ought to be willing to hold it up to public scrutiny. There may be a legitimate argument that executive privilege applies to some materials. There is no legitimate reason, however, not to allow the Justice Department witnesses to appear before Senator COVERDELL's hearing this morning about the current status and activities of the FALN. Nor is there any legitimate reason to refuse to allow the Pardon Attorney to testify at my hearing tomorrow about how the clemency process works. Are the White House and the Justice Department studying or are they stonewalling?

At the Judiciary Committee hearing tomorrow, we will hear from the law enforcement community and the victims who have been affected by this grant of clemency. I have invited representatives of the FBI and the Justice Department's Pardon Attorney's Office. I hope the White House and the Department of Justice will allow them to testify. The American people deserve to hear this testimony, and I think the White House and the Justice Department should not be stonewalling this type of investigation by the appropriate branch of Government called the Congress of the United States.

I believe our entire Nation is being victimized by terrorism. A bomb at the World Trade Center, the Oklahoma City Federal Building, or a U.S. Embassy abroad has an effect on all of us.

This clemency deal is an insult to every American citizen. This clemency deal is not humanitarian. It is not just.

Exactly what is this? A weak moment? Political favoritism? Another foreign policy miscalculation by this administration? I will tell you what it is. It is plain and simple. It is wrong. That is what it is.

I urge my colleagues to support the Coverdell resolution so that the Senate will be on record as opposing the President's decision to grant clemency.

We cannot send mixed messages with regard to terrorism. One of the major problems this country is going to face in the future —as will every free country—will be acts of terrorism by people just like these FALN terrorists who put their own beliefs above doing justice and what right in society. If the United States continues to show that type of soft-headedness with regard to terrorist activities and terrorists themselves, then we are going to reap a whirlwind in this country, and we will see more acts of terrorism in this country than we ever thought possible.

I can say with impunity that there are better than 1,500 known terrorists and terrorist organizations in the United States of America today. Frankly, there are a lot more than that. Thus far, the administration, prior to this act, has done a pretty good job of offsetting terrorist activities in this country, mainly because of the FBI and its good work. I am suggesting that we get on top of this. The President should be ashamed for doing what he has done.

I yield the floor.

Mr. McCONNELL. Mr. President, I rise today to express may great concern and dismay at President Clinton's decision to offer clemency to sixteen convicted terrorists. These individuals were members of the FALN, the Armed Forced for National Liberation, which uses violence and terror to further its cause of making Puerto Rico an independent nation. As a result of their involvement in a series of terrorist bomb attacks on United States soil, these individuals have been convicted of very serious offenses.

Terrorism is a deplorable act. In recent years we have seen tragic attacks on our embassies overseas, and hideous murders in Oklahoma City and the World Trade Center. This harvest of death and suffering is what terrorism is about. By releasing these terrorists President Clinton has made a terrible mistake. For years our message to terrorist has been simple: ''If you attack, maim, and kill Americans, the United States will hunt you down and punish you. We do not forget, and we will bring you to justice.'' Now the President is saying that we will forget, and that justice can give way to other considerations. That is the wrong thing to do.

Mr. Gilbert Gallegos, the president of the Fraternal Order of Police, which represents the Americans on the front lines of the war on terrorism, has eloquently condemned President Clinton's actions. Mr. President, I ask unanimous consent that this letter from Mr. Gallegos to President Clinton be printed in the RECORD.

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

GRAND LODGE,
FRATERNAL ORDER OF POLICE,
Albuquerque, NM, August 18, 1999.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am writing this letter on behalf of the more than 283,000 members of the Fraternal Order of Police to express our *vehement opposition* to your offer of clemency to sixteen convicted felons involved with a wave of terrorist bomb attacks on U.S. soil from 1974–83. I would also like to express my own personal confusion and anger at your decision.

Your offer of clemency would immediately release eleven convicted felons who conspired as members of the FALN to plant and explode bombs at U.S. political and military targets. The remaining five would have their criminal fines waived and only two would serve any additional time. These attacks killed six people, wounded dozens and maimed three New York City police officers: Detective Anthony S. Senft lost an eye and a finger, Detective Richard Pastorella was blinded and Officer Rocco Pascarella lost his leg.

Your claim that none of these people were involved in any deaths is patently false. As members of the terrorist organization that was planting these bombs, all of them are accessories to the killings as a result of the bomb attacks. Two of the persons to whom you have offered clemency were convicted of a $7.5 million armored truck robbery, which undoubtedly financed the FALN's 130 bomb attacks.

These are not Puerto Rican patriots, these are convicted felons who are guilty of waging a war of terror against Americans on American soil to accomplish their political objectives. Why are you rewarding their efforts?

I can only assume you are again pandering for some political purpose. This time, Mr. President, it must stop before it begins.

The ''human rights advocates'' who are so concerned about the plight of these killers have never shed a tear for the victims. These ''human rights advocates'' are the same people and organizations who maintain that the United States routinely abuses the rights of its citizens and who issue reports stating that our state and local police officers are nothing more than racist thugs who enjoy brutalizing minorities. These ''human rights advocates'' are the same people and organizations who clamor for the release for Mumia Abu-Jamal, a convicted cop-killer, and raise money for his defense.

I do not Know, Mr. President, how they decide which rights to advocate and which to ignore, but it seems that murderers and terrorists are more entitled to them than victims. Do not offer clemency to sixteen convicted felons to placate ''human rights advocates.''

I would also strongly urge you to reject any inclination or polling data that indicates this will generate sympathy for you or for a Democratic presidential candidate among Hispanic-Americans. As an Hispanic-American myself, I can assure you that releasing violent convicted felons before they have served their full sentences and to waive tens of thousands of dollars in criminal fines, is no way to appeal to racial pride.

I sincerely hope, Mr. President, that this ill-conceived notion is consigned to the pile reserved for horrendously bad ideas. Many of the best accomplishments of your presidency stemmed from your commitment to law enforcement and to police officers.

This aberration would surely eclipse all we have done to date to keep America safe. Police officers around the country, including me, have stood side by side with you in fighting violent crime and supporting your community policing initiatives. Caving into these advocates is a slap in the face.

I look forward to hearing from you about this matter.

Sincerely,

GILBERT G. GALLEGOS,
National President.

Mrs. BOXER. Mr. President, I will vote in favor of S.J. Res. 33, a resolution which disapproves of the President's decision to grant conditional

clemency for certain individuals who were convicted of crimes related to the activities of the Armed Forces for National Liberation and a splinter group called the Macheteros.

However, I am disappointed that this issue was turned into a partisan, political attack on the President. The original language was inflammatory and too broad, accusing the President of sweeping charges that were misleading and inappropriate. Some of the worst rhetoric has been removed in this version, but in my view it is still too political.

In the future, I hope that Congress will prove to more responsible and bipartisan when discussing U.S. counterterrorism policy.

Mr. SESSIONS. Mr. President, I would like to join and associate myself with the remarks of Senator HATCH, chairman of the Judiciary Committee. We will be having hearings tomorrow on the pardon of FALN terrorist groups.

I would like to share a few thoughts at this time. I feel very strongly about this matter. I spent not the 26 years that Howard Safir, who is now the Commissioner of Public Safety in New York, spent with the Department of Justice. But I spent 15 years at the Department of Justice.

It really troubles me. It very much saddens me to see what is happening to that Department. Senator HATCH said the Attorney General is asleep at the switch while the White House runs the Department of Justice. Too often that has been true. I hate to say that. I love that Department of Justice. I respect it.

On the facade of the Supreme Court, right across this street, are the words ''Equal Justice Under Law.'' I would like for people to think about a couple of things. Three-thousand people in prison in this country during the Clinton administration—more than 3,000—asked for clemency. This administration followed the procedures established by Executive order in 1893. They referred it to the Department of Justice for a background review and a recommendation. After that was done, only three—only three—had clemency granted to them.

A clemency is a very unusual thing. It is to allow somebody to get out of jail before they serve their full sentence imposed by a court of law and affirmed by the appellate courts of this country. So this is unusual.

Apparently, it was done against the objections of the people who were involved in the case who knew about it. The prosecuting attorney—the U.S. Attorney's Office—apparently recommended no. The FBI, which investigated the case, said no. The Federal Bureau of Prisons said no.

We don't know yet. I hope that we will find out—and I hope this administration does not stonewall—what the Pardon Attorney's recommendation was. It went on up to the Deputy Attorney General of the United States. So we need to find out what happened. It cannot be, in my view, justice.

Some said: Well, what if one of these 16 may not have been personally involved in the violent act?

I want to tell you what a conspiracy means.

These individuals knowingly and deliberately joined with a group, FALN, which had been involved—and well known in Puerto Rico throughout this country—in public bombings and assassinations and maiming of American people. They joined with that group. They were caught with C–4 explosives and truckloads of guns in participation of that effort.

I want to note what the law is on that. Under one case in the Fifth Circuit, the court held that ''A conspiracy is like a train. When a party knowingly steps aboard, he is part of the crew and accepts responsibility for the existing freight (that was already carried).''

That is what we have here. There is no doubt that this group joined this criminal enterprise and participated in it and were apprehended by courageous FBI agents working undercover. There is no doubt that it was tried in a high profile case in Chicago, New York, and other places.

You can be sure that the Marshals Service and the FBI were guarding the judge, the jury, and the families because this was a big-time prosecution of people who were determined to destroy this country and defeat the U.S. Government.

That is what it was about. This was a high profile, very intense effort. It was done by prosecutors and FBI agents who willingly put their lives at risk to bring them to bear. And once they were convicted, we have not had any more bombings. It was a successful, courageous effort that saved lives in this country.

It is not acceptable for this President to go around the Department of Justice professionals, violating President Grover Cleveland's Executive order which he could have changed if he wished to but never did. It is the established procedure—and for reasons that I can only conclude have to be political because they certainly cannot be based on law and fact.

I would just say this: Justice is a fragile thing. But I would like to ask the American people and the Members of this body to think about this: What about the other 3,000 people who did not get their pardons?

Thank you, Mr. President.

Mr. LEAHY. I did not agree with the President's recent clemency decision, but I recognize that it is his decision to make. When I was State's Attorney for Chittenden County, I did not always agree when the Governor of Vermont exercised his clemency power, but I understood that it was his to exercise as he saw fit. There were many more numerous exercises of this constitutional power by the Republican and Democratic Presidents with whom I have served over the last 25 years—President Carter used this power over 560 times, President Reagan over 400 times and President Bush over 75 times— and they have not always been matters with which I necessarily agreed.

Yesterday I cautioned against the extreme rhetoric of the version of the Lott-Coverdell resolution that was initially introduced. Through the course of the last week some of the misstatements of fact that were contained in that version of the resolution have been corrected and its most extreme and dangerous political rhetoric has been eliminated.

The resolution that the Senate will adopt today deletes much of the overreaching language of the President's congressional critics. I noted yesterday that to contend that the clemency grants showed a weakness of resolve against international terrorism was both wrong and might itself contribute to creating a dangerous atmosphere.

We ought to be careful when anyone, let alone the Senate and Congress of the United States, starts bandying about declarations that accuse the United States Government of making ''deplorable concessions to terrorists,'' ''undermining national security'' or ''emboldening domestic and international terrorists.'' Playing politics with this matter and accusing the President of ''undermining our national security'' or ''emboldening terrorists'' carries significant risks and was not right. I am glad that language has been eliminated from the text of the resolution.

Likewise, some of the factual inaccuracies in the initial draft were eliminated, including the assertion that the procedure used in these petitions was ''irregular'', and the inaccurate assertion that the Bureau of Prisons had audio recordings indicating that some of the 16 persons offered conditional clemency by the President had ''vowed to resume their violent activities upon release.'' There was no basis for that assertion, which was inaccurate and unfounded but nonetheless included in the original resolution. It has now been deleted.

Similarly, the substitute resolution eliminates the contention that the President's decision was ''making terrorism more likely and endangering'' Americans.

Most importantly for the resolution— and this is after all only a congressional resolution that cannot change the clemency decisions by the President— the original resolution proposed declaring that the President had ''made deplorable concessions to terrorists, undermined national security and emboldened domestic and international terrorists.'' All of that language has been deleted from the resolution. It was extreme and risky political rhetoric and should never have been included.

The American people can judge whether the time and energy being devoted by the Congress to this declaration is the best use of the these resources. Yesterday I challenged the

Senate to make time for votes on the many qualified nominees whom the Republican majority has stalled for the last several years. If the Senate has time to debate and vote on this resolution, it should have time to vote on the nomination of Judge Richard Paez to the Ninth Circuit Court of Appeals, which has been pending for over 3½ years. If the Senate has time to debate and vote on this resolution, it should have time to vote on the nominations of Justice Ronnie White to be a federal judge in Missouri, Marsha Berzon to be a judge on the Ninth Circuit, Bill Lann Lee to head the Civil Rights Division and to act on the scores of other nominees pending before it.

The Senate has not completed work on 11 of the 13 appropriations bills that must be passed before October 1. The Republican Congress cannot find time for campaign finance reform or a real patients' bill of rights or raising the minimum wage or reforming Medicare or completing the juvenile crime bill conference. The American people will judge whether the Senate should be doing its job and attending to its constitutional duties of confirmations and legislation or whether its time should continue to be devoted to partisan politics and attacks on the Executive Branch.

Ms. MIKULSKI. Mr. President, I oppose the President's decision to grant clemency for the FALN terrorists.

I oppose clemency for two reasons. First of all, this clemency decision violates the tenets of our counter terrorism policy. Terrorism is one of the greatest threats facing our nation. We say that we will fight terrorism with every tool that we have. We say that we will make no concessions to terrorists. We say that we'll track the terrorists down—no matter where they are, no matter how long it takes. We say that we'll hold them accountable—and punish them to the fullest extent of the law. By granting clemency to terrorists, we are saying that these tenets don't always apply. What kind of message does it send to offer clemency to those who are guilty of the most heinous and cowardly crimes?

Terrorism is a real threat to America—and to individual Americans. Too many families are suffering the inconsolable loss of their loved ones—because some murdering thug wants to make a political point. Too many times, I have called grieving families to express my sorrow. After Pan Am 103 was destroyed over Scotland, I called the families of seven young people from Maryland who were brutally and callously murdered. We recently marked the tenth anniversary of this terrible crime—and we are still seeking justice. I also think about a young Navy diver from Maryland—Robert Stethem—who was murdered in a terrorist attack in 1985. The victims of terrorism deserve justice that is not watered down.

The second reason I oppose clemency is that I am not convinced that the terrorist have expressed sufficient remorse. Each of these individuals had many years to express remorse and renounce violence. I haven't heard that the FALN terrorists have changed their lives to reflect a change of heart. I haven't heard about any apologies or expressions of regret. Their renunciation of terrorism was tepid. It came only in exchange for their freedom. I don't consider this true remorse. I don't consider this worthy of clemency.

So I will support this resolution to disapprove of clemency for terrorists. I am sorry that the President chose to shorten the sentences of terrorists who feel justified in using violence to achieve their political goals.

Ms. COLLINS. I rise today to condemn the President's use of the Constitutional power to grant clemency to FALN terrorists. The members of the Armed Forces of National Liberation, known by their Spanish acronym FALN, were responsible for 130 bombings in the late 1970's and early 1980's. As a result of these FALN actions, six people died, scores of citizens were maimed and injured, and the public at large was petrified by an indiscriminate threat.

The FALN's stated purpose in conducting this reign of terror was to further the cause of Puerto Rican independence. But it virtually goes without saying that there is no justification for this vicious lawlessness that terrorized, killed and maimed human beings. After a Herculean effort on the part of law enforcement and prosecutors, the FALN members were brought to justice and convicted of a variety of serious charges including seditious conspiracy.

Those who suffered at the hands of the FALN, those whose only crime was to be in the wrong place at the wrong time, had names and lives before they had the misfortune to encounter an FALN-placed bomb. But their lives were ended or irrevocably altered by senseless actions. The law enforcement officers and prosecutors who brought the FALN to justice placed themselves at personal risk in their effort to protect the public from the terror of the FALN bombings.

On August 11th, the President unexpectedly offered clemency to 16 FALN members. Their release was conditioned on each prisoner renouncing violence, obeying a ban on the use of weapons, and refusing fraternization with independence leaders. Unbelievably, it was indicated that these vague promises would release these individuals from their sentences—a privilege that he has granted only three times previously. And even more unbelievably, these promises were not forthcoming.

The President made this clemency offer despite the fact that he was advised against it by the FBI, the Bureau of Prisons, and two United States Attorneys.

The President made this offer despite the fact that the jailed FALN members had illustrated no remorse for their actions. This became painfully clear on this past weekend's ''Meet the Press'' where Ricardo Jimenez, one of the freed conspirators, appeared. Mr. Jimenez identified himself as a freedom fighter and justified his criminal actions as a remedy for Puerto Rican ''colonization.''

Mr. Jimenez is not unique among the FALN conspirators in his utter lack of remorse for the terrorist bombings. Unbelievably, in fact, Bureau of Prison audiotapes have captured several of the former FALN members recently released from prison saying they would return to violence upon release.

By releasing prisoners convicted of serious crimes, for which they showed no remorse, based on only the promise that they will not commit such crimes again, the President has undermined the standard for eligibility for the extraordinary remedy of clemency.

There is no recourse from the President's action, which was based on his unquestioned Constitutional authority. The Senate can only express our sentiment that his actions were appalling and dangerous. Therefore, in the strongest possible terms, I support the resolution offered today condemning the President's action.

• Mr. GREGG. Mr. President, I want to make clear that, while I was not able to vote on S.J. Res. 33, I am very much in favor of this resolution and I am pleased that it passed today. Had I been present, I would have voted in favor of it. It is important for the Senate to voice its concerns about the President's actions when they infringe on our Nation's best interests. Given the long and disturbing history of the FALN terrorists who were recently released, I believe that this President's actions with regard to those terrorists did, in fact, undermine our Nation's policies against terrorism.

On January 24, 1975, a New York city tavern was ripped apart by a bomb that killed 4 people and injured more than 50 others. A radical Puerto Rican nationalist group known as the Armed Forces for National Liberation (FALN) claimed responsibility for the act and was later implicated in more than 100 bombings across the United States. Several detectives were maimed as a result of these bombings and suffer to this day from the terrorism perpetrated by FALN.

Sixteen FALN terrorists were eventually convicted in the 1980's for violent offenses related to the bombings, including armed robbery, weapons violations, and seditious conspiracy, a rarely invoked but powerful criminal charge reserved for people whose intent is to undermine the Government of the United States.

Their history makes it clear that FALN was a dangerous terrorist faction whose members deserved the punishment they received. It is for these reasons that I was appalled when President Clinton offered to give these terrorists an early release from prison, ignoring unanimous opposition from federal law enforcement professionals and

siding with liberal human rights activists and Puerto Rican nationals. Eleven FALN terrorists were released from federal prison last Friday.

As you know, Mr. President, I chair the Senate Appropriations Subcommittee on Commerce, Justice, State and Judiciary, which funds the FBI and other law enforcement agencies that are responsible for our Nation's counterrorism strategy. Over the last few years we have significantly increased the resources available to law enforcement and now have in place for the first time a coordinated, government wide strategy to deter and respond to terrorism. Releasing convicted terrorists before they serve their full sentence sends the wrong message about how our Nation will deal with people who use violence to achieve their political objectives.

There is no question that the President has the authority under the Constitution to grant pardons and reprieves for offenses against the United States. Once a pardon or clemency offer is official, no one can reverse or overturn the decision, not even the Congress or the Supreme Court. Given the magnitude of this power, the question that should be asked is why the President would use it to give convicted terrorists an early release from prison, especially the fact that President Clinton has reduced sentences in only 3 out of 3,042 prior cases.

Hearings will be held in this body and in the House of Representatives in the next few weeks, and they should aggressively question the administration's reasons for this act. These hearing should explore how the clemency offer supports the State Department's antiterrorism policy which states that the United States shall ''make no concessions and strike no deals and will bring terrorists to justice for their crimes.''

The primary argument for clemency appears to be that none of the 16 FALN members were directly involved in any of the bombings. However, almost all of them were convicted for seditious conspiracy—the purpose of which was to wage a campaign of terror against the United States Government. Osama bin Laden may not have lit the fuse that detonated the bomb, but his participation in a conspiracy to commit these acts would be enough to incarcerate him for life. In addition, the Clinton administration contradicts its tough stance on gun violence by releasing these terrorists, almost all of whom were convicted of various gun violations, including armed robbery.

Another explanation floated by the administration is that the sentences are too stiff. The President's early release certainly changes that. Eleven of the convicted FALN members are now free. Two others will serve additional time, and three others will be released from paying the remainder of their criminal fines. However, the sentencing judge's decision to order maximum prison terms was based on the evidence in the case and the fact that none of the FALN members showed any remorse for their acts at the time of sentencing. One sentencing judge indicated that he would have ordered the death penalty for one of the terrorists who showed no regret for his acts, but it was unavailable as an option. It is presumptuous for the President to grant clemency on the grounds that the federal judge who heard the testimony and saw the evidence firsthand imposed a sentence that was too severe.

In fact, Oscar Lopez-Rivera, one of the FALN terrorists that President Clinton offered to release early, had this to say in an interview with the Associated Press last year,

> I have no regrets for what I've done in the Puerto Rico independence movement . . . This onus is not on us. The crime is colonialism. . . . If Puerto Rico was not a colony of the United States, I would have had a totally different life.

Mr. Lopez-Rivera was convicted of numerous charges, including weapons violations and conspiracy to transport explosives with intent to destroy government property.

Our judicial system also provides an absolute right of appeal for criminal convictions. Superseding the judicial system should be reserved for cases in which the facts are clear and the benefits of release outweigh the dangers. That balancing test is not met in this case.

Many people have speculated that the President's decision was an effort to woo the large Puerto Rican constituency in New York where Mrs. Clinton is likely to run for the U.S. Senate. It is not too much to imagine that the Clinton administration would jeopardize our national security to court potential voters based on their record of politicizing federal agencies, so I believe it should be examined during congressional hearings as a possible motivating factor.

One of our government's primary responsibilities is to safeguard the freedom and liberty of its people. Given the growing terrorist threat around the world, now is not the time to go easy on convicted terrorists. Over 700 people died last year and more than 6,000 were wounded from the embassy bombings in Kenya and Tanzania last year. The World Trade Center bombing and the Oklahoma City bombing are fresh reminders of the violence that can be wrought by terrorists. Releasing terrorists before they serve their full sentence sends the wrong message and undermines our nation's tough stance against terrorism.●

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. How much time remains on this debate?

The PRESIDING OFFICER. There are 39 minutes remaining, with 16½ minutes remaining on the Senator's side.

THE REMAINING SENATE BUSINESS

Mr. DURBIN. Mr. President, one of the items previously discussed deserves further exploration; that is, the whole question of what we are going to do in the closing weeks to meet the Senate's obligation to the people of this country, to deal with the most basic responsibilities of this Chamber.

The most basic responsibility, of course, is to meet and pass the spending bills necessary for the orderly operation of the Federal Government. For those who are not students of the process, the fiscal year that we work under starts on October 1, and we are supposed to pass 13 different spending bills so that come October 1, the actions of Government can continue their business. This is our ordinary responsibility.

So we meet on September 14 to discuss a lot of issues of importance. But the American people have the right to ask us what we have done about our basic responsibility to pass the spending bills for the next year. The honest answer is, of 13 bills, we have only passed and had signed into law one bill, and that is the military construction bill. All of the other activities of the Federal Government, frankly, are still in play. They are being debated on Capitol Hill. It is a sad commentary on those who manage the House and the Senate that we have not made more progress. In fact, closer inspection suggests to us that there are some serious problems ahead.

Anyone who followed the proceedings last year knows that a similar situation led to a mountainous piece of legislation called a continuing resolution. If I am not mistaken, it was some 10,000 pages long and it was literally dropped in our laps with 48 hours to go and we had to read it, vote yes or no to continue the operations of Federal Government, and go home or stay here. It was chaotic.

At a time when we have a Federal Government and a Congress with a responsibility, a staff and resources, it is hard to imagine we are about to repeat that scenario of last year. But it looks as if we are headed in that direction.

The sad fact is that one of the more sinister games being played is that one of the most important spending bills for American families—the bill that contains, for example, education spending for the United States of America—is being held hostage as the last spending bill which we are going to consider. As each appropriations bill that needs money comes along, it is taken from this education and health bill and put into another bill.

The day of reckoning is upon us in the not-too-distant future where we will face the possibility of another continuing resolution.

I am disappointed the Senate has not responded to the challenge by the President in his State of the Union Address and, frankly, challenge by the people of this country to address some

of the serious problems which we face. Instead, we find ourselves tangled in a weave of budgetary deception where the suggestion has been made this morning that there is going to be an extension of the fiscal year to make it 13 months long as opposed to 12 months.

I believe it was Pope Gregory who came up with this calendar which we now use across the world. Now we have a suggestion that is part of their effort to extricate themselves from this budgetary maelstrom. The Republicans are going to somehow construct a 13-month calendar. I will not go into all the possibilities that were mentioned in the earlier debate, but I will say that it is, frankly, evidence of their failure to lead in the Senate and the House of Representatives because we are in the closing weeks of the fiscal year not having met our obligation to manage the Government and do it in an efficient manner.

The President came to us many months ago in his State of the Union Address suggesting some changes which we should consider in education in America. I am sorry to report that, to my knowledge, there has been no hearings on the President's proposals, nor is there any likelihood that the budgetary bills coming before us in the closing hours of the session will even address these changes in education. Most of these changes are widely accepted and embraced by the American people. Yet we find the Republican majority in both the House and the Senate refusing to even consider them.

The idea of increasing the number of teachers across America so classroom size is reduced is one that every parent understands. You walk into a classroom of 30 kindergartners and one of them is your child. You pray to God there will be a few minutes each day where the teacher might be able to pay special attention to your son's or daughter's particular problems. The same is true in the first, second, and third grades when children are learning the basics in terms of math and reading and such things that will build their education for the future.

The plebiscite President said 100,000 new teachers and reduce classroom size across America and we will have better students, better graduates, a better workforce, and a better country. The American people said: We agree. Do something about it. As we stand here in September of 1999, 8 or 9 months later, nothing has been done—nothing.

The President has already said—and I think he is right—address the needs to modernize classrooms across America.

We had a press conference in Illinois last week in Farmington, a small town near Peoria.

The school there was built in 1908. It is one of those battleship schools. I attended similar schools that reflect the turn of the century commitment to education in America. However, the school needs help. It needs a new fire escape. It needs new electrical service. It needs to be equipped for computers. It needs the basics.

It is not alone. There are schools across America in need of modernization. New schools need to be built. There will be more students than there will be classrooms. Will we help school districts across America? Will this Congress rally, as the President has asked, to help the school districts? The honest answer is no. We have not had any show of will by the Republican majority to even address this. When we bring it up, they say: There you go again, another new program.

Does this strike anyone listening to the debate as a radical suggestion, that our Federal Government lend a helping hand to school districts across America so schools are safer, that they are more modern, that in the 21st century kids have a better chance to learn? The honest answer is, that is not radical; that is as basic as it gets in the United States of America.

Mrs. BOXER. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mrs. BOXER. I hate to break into the flow of thought, but in listening to my friend from Illinois I am wondering if he is aware that the first President to call attention to the needs of education in modern American history happened to be a Republican named Dwight Eisenhower. Is my friend familiar with his National Defense of Education Act?

Mr. DURBIN. Yes.

Mrs. BOXER. I think it is an important point.

We have a Republican Party today in this Senate that is blocking the Senate from taking action, as my friend has stated, on the 100,000 teachers, on school construction, on afterschool, which they say they support in one vote, and when it comes to putting money down, they are not there.

My friend says they call it ''radical.'' President Eisenhower, when I was a youngster in the 1950s, said we could have all the missiles in the world on our side, we could have all the bombs and all the military people, but if we didn't have an educated workforce that understood how to use the equipment, if we didn't have an educated workforce to be productive, America wouldn't be what she must be, the leader of the free world.

I merely interrupted my friend to ask him if he recalled that interesting fact, when Dwight Eisenhower said we had to do something as a Federal Government. Some people said, wait a minute, education is a State matter. He made a couple of points: A, you can't be a strong leader if you don't have educated kids; B, the States can't do everything; they need Congress to come in when there is a national problem. We can't come in for every little thing, but if we don't have enough teachers, that is a national problem. Afterschool is a national problem; early education, a national problem.

The States are saying they need our help.

I yield back to my friend. I would love to hear his comments on the irony of this modern-day Republican Party and this Senate essentially turning against what a wonderful Republican President of the United States, Dwight Eisenhower, said about education.

Mr. DURBIN. I thank the Senator from California.

The fact of the matter is, I managed to complete college because of the National Defense of Education Act, a bill passed by Congress, signed by President Eisenhower, that allowed me as a student from a working family to borrow money from the Federal Government to pay my college education and pay it back over 10 years at 3 percent interest. What a deal. I would sign up for it again.

I hope those who were supporting it and reflecting on it believe that investment in this kid from East St. Louis and a lot of other children like me paid off for the country in the long haul.

I think President Eisenhower and Congress were correct in calling this the national defense. When you talk about the national defense of America, I think it has a lot more to do with the people who live here than the hardware we purchase. The investment in education is such an investment. Think back to the turn of the century. If you had to go back 100 years and ask, Will America be a dominant country in the 21st century, most would guess no because in the 19th century we were a minor power.

The European powers captured the attention of the world. We made some threshold decisions at the turn of the century that made a difference. I love this statistic: Between 1890 and 1920, on average, we built one new high school every day in America. For 30 years, a new high school was built every day in towns across the country—no Federal mandate, just the understanding that if you had a town that was worth its salt, it would have a high school. High school wasn't just for rich kids; high school was for all kids. The kids of immigrants, the kids of farmers, and the kids of small business people all went to school together in a public school system.

What happened? We went from 6 percent of 17-year-olds graduating high school in 1900 to 1930, 30 percent, and today, over 75 percent. Make no mistake, that commitment by America to education, which created high schools, which were then called ''people's colleges'' because this was a chance for education beyond the eighth grade for just average kids, led to college education and a dramatic increase in the number of scientists, engineers, and doctors. It took America from Kitty Hawk to the space program.

The obvious question is, Do we have the same commitment to education in the future that the leaders in the 19th century, looking to the 20th century, had? I don't hear it as I listen to the debate in the Congress. I don't hear men and women of vision standing up

and saying in the 21st century our kids will have the same opportunities.

There are some things we have to commit ourselves to as a nation. That isn't being done here. Instead, we languish in this debate, lost in the minutiae about local control and forgetting the big picture. The American people expect Congress to understand the challenges our Nation faces for the next century. It is not reflected in the debate on the budget or in the appropriations bills.

We have talked about school modernization, we talked about smaller classroom sizes in K through 4. Let me discuss another critically important topic: Quality teachers, men and women who will become professional teachers who are good at it—not to take what is left over from college or high school, but to take the very best and brightest and put them in a classroom to spark in each kid that feeling of creativity and learning which those who are blessed to have such teachers have experienced. Yet we don't have that commitment.

The President has said: Invest in teachers. Make sure they have a chance to have their skills improved. Hold them accountable for what they do in a classroom. But make sure to bring these young men and women into the teaching profession.

We can turn on the television almost any night and see the exposés about education in America where, unfortunately, some people are in classrooms and they shouldn't be there. The vast majority of teachers are good, hard-working men and women. We can help them improve their skills and keep those who are not good out of the classroom with a commitment in Washington that we just haven't seen during the course of this year.

The last point I will make is on after-school programs. I have been mystified by the fact we are still caught up in a mindset that is, frankly, old fashioned, a mindset that says children start school at the age of 6 and school lets out at 2:30 or 3:00 in the afternoon and we take 3 months off in the summer. This might have made sense at some point in time. It doesn't make sense in today's America. Six years of age is a good age to put a child in a classroom, but 5 is better; 4 may even be better. There might even be learning experiences for those younger who are now in a day-care setting.

Ask any teacher, if they could add a year in education, where would they add it. It isn't at the end of 12th grade but at the beginning, kindergarten or before. The teachers say: Give me a chance to mold that child before they come into the classroom, and I will show you a better person and a better student.

Yet our commitment to preschool programs, our commitment to programs for the earliest ages, just isn't there. We ignore it. We act as if it isn't a reality. We know it is. A younger child in a learning situation is a child more likely to be a good student.

Classrooms adjourning each day at 2:30 or 3 o'clock in the afternoon made sense when Ozzie and Harriet were at home with milk and cookies waiting for the kids, but not in today's America. More parents are working; kids are going home to empty houses and getting in trouble after school.

One might ask, Why doesn't the schoolday reflect the family day where parents might get home at 5:30, 6 o'clock, or after? Some schools adjust to that. Some schools provide that. Some schools need help. We have yet to come up with any suggestion here on Capitol Hill about afterschool programs responsive to the needs of today's working families. I suppose taking summer vacations off was an idea that made sense in my home State of Illinois. After all, the kids did have to go work on the farm. But out of a State of 12 million people, we only have 75,000 farm families. Those children should be in another learning experience, another supervised experience so they are better students. If they are falling behind in reading and math, let them have remedial work during the summer. If they are good students, give them enrichment courses, teach them a musical instrument, or something new about science. Introduce them to computers. All the options and possibilities are there. Yet when you bring that up on Capitol Hill, you would think you were speaking a foreign language. People just cannot quite understand what we have to do with it.

I think we have a lot to do with it. That this Congress has been so derelict when it comes to the issue of education is a suggestion to me that we just don't get it. We are not listening to American families who identify education as their highest priority. We certainly are not reading history, which tells us education made the 20th century the American century because of our commitment to education.

Make no mistake about it; other countries around the world, in Europe, in parts of Asia, are starting to move forward. These are tomorrow's competitors. These are the people with whom our children will have to be ready to do business and with whom they will have to compete. If we are not prepared, they will pass us by. I don't want to see that happen to my children. I don't want to see that happen to this country.

The honest question we have to ask ourselves is, Does Congress get that message? If you look at the budget debate, it is pretty clear to me we have missed the point completely. We are now entangled in this terrible budget debate with the President. Thank goodness the Republican Party has abandoned this $750 billion or $800 billion tax cut for wealthy people. They took that out in August. They were going to go home with it and explain to the American people why this was the real important thing to do for America's future. It fell on its face. It had about as much popularity as the new Coca-Cola. They came back and said: We have given up on that idea. Maybe we will do it next year.

I hope they have walked away from it. But in abandoning that bad idea, why don't they pick up on a good idea like education? Why don't they join us in making certain the education funding bill is one that really is a source of pride rather than a source of embarrassment. At this point, unfortunately, we have seen that bill delayed. There have been absolutely no hearings on it and absolutely no effort being made, no initiative being shown, when it comes to improving education for the next generation.

I think the American people rightly give us that responsibility and ask us to meet it. It is a responsibility that should be shared on a bipartisan basis. The things I have suggested are not radical Democratic ideas. The things I have suggested I think would appeal to families of Democrats, Republicans, and Independents—all families who care about the future of their children.

I yield the floor hoping the debate soon will turn to these issues such as education, issues which most American families consider to be one of our highest priorities.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Will the Chair advise the Senator the order of business?

The PRESIDING OFFICER. It is S.J. Res. 33.

Mr. COVERDELL. This is the resolution by Mr. LOTT, myself, and Mr. BROWNBACK, deploring the actions of the President of the United States regarding the granting of clemency to terrorists called FALN?

The PRESIDING OFFICER. That is supposed to be the order, yes.

Mr. COVERDELL. I thought it was interesting to make note of the business before the Senate at this moment. With that in mind, I yield up to 5 minutes of our time to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I would like to talk about the business that is before the Senate because I think this is critically important. There were a number of allegations made in the last speech that I think deserve to be refuted, but what is presently before us, what has taken place, is something that needs to be addressed before the American public.

I rise in support of the resolution condemning the President's actions in granting clemency to 16 terrorists. I want to be clear what I am talking about: 16 terrorists who were members of the Armed Forces of National Liberation, FALN. The President's condition for releasing these men was that

they would be willing to say they would not use violence anymore. This is a standard that I think would easily be met by almost everyone in prison in America today. The condition is a sham. The FBI, the Justice Department, and the Bureau of Prisons all recommended strongly that these terrorists not be released. Yet the President went ahead and released these terrorists.

The sad part about this is this administration claims to understand that terrorism is one of the greatest threats facing America. And it is. We see that threat towards the United States being posed and acted upon in many places around the world. It is only because of our own abilities that we have been able to stop some of this. Yet some of it has still gotten through.

This act of the administration of releasing these terrorists will have the effect of encouraging terrorism. They are repeatedly telling us they are bringing terrorists to justice and that is a high priority. How is this act of releasing terrorists compatible with fighting terrorism? By his actions, the President is sending a message that, in fact, he does not take terrorism seriously, that it is OK to kill and maim American people. After all, the President may pardon you even when there is no petition of clemency before him.

This encourages terrorism. We should be very clear about that. At a time when terrorism is a great threat to our peace and prosperity, at a time when terrorism has touched everywhere in this Nation, at a time when Americans face terrorist threats all around the world, the last thing we should do is grant clemency to convicted terrorists. I believe Congress should be standing up to tell the President, as well as the Nation, that we strongly condemn pardoning terrorists who have killed and shown no remorse whatsoever. Whatever the reason the President took this action, it is clear the pardon was not based on the merits, and by carrying through with this he severely damaged our leadership in the world fight against terrorism.

The FALN carried out more violence than any other terrorist group in the United States. They pose a direct threat to the safety of American citizens on American soil everywhere. Yes, these convicted terrorists have spent some time in jail, but the acts these people committed were the most heinous and should not seem less so simply because of the passage of time. A fair court system found them guilty and punished them accordingly. Nothing they have done or said since then can justify their unsolicited release.

Making concessions to terrorists is wrong and it is very harmful to us as a country and as a people. In so doing, the President has made a mockery of all the administration's tough talk about terrorism and the need to combat it worldwide. This is an action that should be roundly condemned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator from Georgia has 6 minutes and 40 seconds.

Mr. COVERDELL. Mr. President, ever since the introduction of this resolution which basically put the Senate on record, if passed, we were deploring the action of the President commuting the sentences of 16 known terrorists, in this timeframe, the White House so far has refused to allow any of its representatives in the Department of Justice, the Federal Bureau of Investigation, its own White House, or the Bureau of Prisons to testify before any congressional hearing. It was as late as 9:30 p.m. last evening that the testifier from the Federal Bureau of Investigation called our office to decline to testify. In other words, there is a total blackout at the White House.

The vote that occurred on the House side had 71 Members of the other side of the aisle voting ''I am here,'' refusing to make a statement. This debate in the Senate will have soon been 2 hours long. So far, on the other side there has been only one sentence discussed about this national issue of the President commuting the sentences and releasing 16 known terrorists. One sentence in the entire debate has come from the other side. Mr. President, 71 of their Members in the House simply voted they were in Washington, and the White House has refused to make any comment and refused to allow any of the administration to testify.

Mr. President, this book, ''Patterns of Global Terrorism, 1998,'' is published by the State Department of the United States. It was published in April of this year. On the first page it says:

United States policy with regard to terrorism.

And the first statement is:

Make no concessions to terrorists and strike no deals.

These 16 terrorists have been given the concession of being released from prison, and the entire process was one of dealmaking and negotiations among the White House and representatives of the terrorists and the terrorists.

The question is the incongruity with the administration as well as our Government's policy with regard to terrorism.

The second premise is:

Bring terrorists to justice for their crimes.

We are in the midst of sending 16 of them from prison out into the population, again with no real assurance—in fact, we have already seen some signs that they would not recant terrorist activities.

The President, in a rather tortured effort to explain—that these folks were not the ones who actually dropped the bomb or fired the weapon has already been alluded to by Senator HATCH, chairman of the Judiciary Committee—what they are trying to do is set degrees. Under that theory, bin Laden, responsible for planting the bombs in Kenya and Tanzania, would somehow be in a more favorable position. To put it another way, if you are a successful terrorist, you are going to be in a lot more trouble than an unsuccessful terrorist because you were captured by the FBI before you set off the bomb.

In this very booklet published by the administration, it gives a definition of terrorism: ''The term terrorism means premeditated''—we have concluded that—''politically motivated violence''—we have concluded that was the case—''perpetrated against noncombatants''—and I met the son who was 9 years old when his father was killed when he was simply having lunch in New York as a noncombatant—''by subnational groups or clandestine agents usually intended to influence an audience.''

The point I am making is, all 16 whose sentences were commuted fit this definition to a T. They are terrorists. What does not match is the President's violation of the terms of how we deal with such people when it says ''make no concessions'' and he did, it says ''and strike no deals'' and he did. We can only hope and pray that law enforcement officers who were involved with this, families who were involved with this, are not now in harm's way, or the judge who sat in the adjudication of these cases and who was threatened to be assassinated by these people as he conducted the trial of the 16.

What a massive incongruity we face. We will shortly vote on this resolution. I very much hope this will be as successful as in the House so that international terrorists, law enforcement officials who put their lives on the line every day, and the victims of these terrorists will understand that the people's branch, the legislative branch of the U.S. Government, thinks these are the rules of the road when you deal with terrorists, that you do not make concessions, that you do not make deals, and that they are apprehended and, if apprehended, they are subsequently harshly dealt with and imprisoned accordingly.

The Presiding Officer is signaling me that my time is up.

The PRESIDING OFFICER (Mr. CRAPO). Time has expired.

Mr. COVERDELL. That being the case, and no Senator from the other side is here to speak on their version of the issue, I suggest the absence of a quorum.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold his request?

Mr. COVERDELL. I withdraw my request.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business for up to 10 minutes.

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

Mr. INHOFE. I thank the Chair.

GRANTING CLEMENCY TO TERRORISTS

Mr. INHOFE. Mr. President, I had been presiding and listened intently to the debate that has been taking place. I have a couple of thoughts which I think have not been addressed.

For one thing, we recognize that this has to have been politically inspired, that you do not offer clemency to known terrorists without some type of motivation to do so. If one has been watching the media and if one has been listening to this debate, one has to come to the conclusion that it was politically motivated. There can be no doubt about that. Of course, there are a lot of Puerto Ricans in the United States and in some of the States such as New York, New Jersey, and Florida, perhaps, who could determine the outcome of a vote. So we have politicians catering to them.

I suggest to you, Mr. President, that while this is onerous enough, this is not happening in a vacuum because at the same time people are going after this voting block by offering clemency, something else is going on right now, something that not many people are aware of, and that is, for the last 57 years we have been able to use an island called Vieques off the shores of Puerto Rico as a bombing range, as an amphibious training base. This is classified and characterized by the Navy, as well as the ground troops, as an imperative area for our training and our readiness.

I guess what I am saying is, there is no place else in the Western Hemisphere we can use for this kind of training. It is high-altitude bombing training and also amphibious training. What this also means is when we are about to deploy a ship such as the U.S.S. *Eisenhower* they will not be able to train because of a moratorium on training on Vieques.

How does that relate to this subject at hand? It relates directly in that the reason we are having problems with the range which we have used successfully for 57 years and which is an imperative part of our state of readiness is that it is unique, but they have stopped us from doing it through a moratorium because of the people of the island of Vieques. There are only 9,000 residents on this island who are saying, all of a sudden: Well, we decided we don't want to have bombing on the far end of this island.

This island is over 20 miles long. The bombing range is way over on one side. There is a buffer zone in between that is a national park on which we have spent literally millions of dollars to satisfy that handful of people who want us to abandon the range.

What do we have going on right now? We have people who are running for high office—and I do not think there is any reason to mention who they are at this time—going in and holding press conferences in Puerto Rico, saying: We want to stop the bombing that is taking place on this range; we want to deactivate the range.

Those individuals who are running for office in Puerto Rico are going one step further. Right now, there are four groups of protesters. These protesters are down on the firing range, walking around where there are live ordnances on the ground, picking them up, throwing them around, and someone is going to get killed. Consequently, having witnessed this, when I came back I wrote a letter and made a phone call to Janet Reno, our Attorney General, to insist she apply the law to these trespassers to stop them from doing that.

I do not know what her motivation is, but she refuses to do it, and she is selectively interpreting and enforcing the law. I suggest that the Senator from Utah was correct when he said the Attorney General is asleep at the switch while the White House is running the Justice Department. We are allowing the White House to run the Justice Department insofar as clemency is being offered to these terrorists, but also running the Justice Department by not enforcing the law in getting these people out of harm's way.

I can stand on the Senate floor today and say that I believe someone is going to be killed, and when that someone is killed, it is going to be the fault of our Attorney General and her boss, the President, because they are selectively not enforcing the law at this time.

While it is bad enough we allow terrorists to go unpunished—we turn them loose on society; we somehow fall into this mindset that punishment is not a deterrent to crime for political purposes—it is even worse, in my opinion, to take away the one thing that is necessary, the most significant, an important training area, from our military in order to prepare to defend America.

So I think this thing has gone far enough, and I do believe it is politically inspired. I do believe that was the reason for the offer of clemency. I do believe that is the reason so many politicians right now are saying: Fine, we'll go ahead and close the range.

One last thing on the range. I know this message will get out to the right places when I say it. It is true that the people and the citizens of the island of Puerto Rico would like to have this range deactivated. But they also at the same time want to keep our facilities that are so significant in making contributions to their economies, such as Roosevelt Roads.

As chairman of the Readiness Subcommittee of the Senate Committee on Armed Services, I went out and told them I am going to do everything within my power—if they deactivate this range; and are successful in doing this, through the White House and the President's efforts—to do what we can to move those functions that take place in Roosevelt Roads, to deactivate that and bring those back to various installations in the United States that are only partially utilized.

So that is going out as a warning. I think it is time we take this whole thing very seriously and try, just for a while, to get politics out of this process which we have been discussing.

Lastly, yes, it is significant. We are talking about a President who has offered clemency to a bunch of people, some terrorists, who have inflicted crime on American citizens. When you stop and think about how the young people of America are looking at this and saying, ''Well, I guess there's not anything wrong with participating in this kind of activity,'' this is morally wrong, and it should be stopped.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I ask unanimous consent to speak up to 5 minutes in morning business.

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

Mr. CRAIG. Mr. President, the other morning on the ''Today'' show—which many of us wake up and listen to as it relates to the morning news or the late-breaking events—there was a Puerto Rican terrorist who the day before had just been released from prison under the clemency that President Clinton had granted him.

During that interview, he was consistently asked if he was remorseful, if he was concerned about the lives of American law enforcement officers that had been taken by him and other terrorists such as himself. In all instances, he did not answer.

He went on to speak of the cause and the movement and why independence was more important than anything else—independence as it relates to the Commonwealth of Puerto Rico, not his personal independence. But never once did he speak in any tone that would suggest he was sorry, only that he was glad to be free. I think anyone who had been imprisoned by a court and found guilty would want that.

I listened to him and grew increasingly more angry—and I must use that word ''anger''—at a President who is at this instant once again trying to have it both ways on an issue that I know the Presiding Officer and I are very concerned about—and that is the misuse of second amendment rights in our country by citizens of our country. And oh, by the way, that Puerto Rican terrorist is an American citizen, is a citizen of the United States by birth in the Commonwealth of Puerto Rico. He was not a foreigner who knew nothing about our law; he was an American citizen who violated a Federal firearms statute.

When I say I speak with a certain amount of anger in me that we have a President who is living up to his double standard reputation once again in the twilight days of his administration, he is coming to the American people and saying: Give me more Federal firearms laws so I can enforce them and make the streets of America safer. If we have

heard it once, we have heard it five times from the bully pulpit of the White House in the last 6 months: And oh, by the way, to all you Americans who did not catch my sleight of hand, I want to release a bunch of terrorists who were accused and found guilty of violating Federal firearms laws and give them clemency.

Mr. President, the American people and this Congress are simply not that dumb. We know you live a double standard and that you speak it oftentimes for political purposes. And on this one you got caught. But, because of the power of the office, you moved ahead and done it anyway.

For that I am sorry and wish we could pull that back. But at least, as a Senate, we can speak loudly, as the House did, and force this President to be honest with the American people, if not for just a moment because he has not been honest with us.

So, Mr. President, if you want to offer clemency, when somebody is found guilty of the misuse of Federal firearms laws, then do not come to this Senator or this Senate and ask for more Federal firearms laws with which you can play.

I find myself on the floor more often than I would like defending the second amendment. But I find it necessary and responsible as a Senator who takes an oath of office to uphold our Constitution because I believe the second amendment is, in fact, a constitutional right in this country. But I have been very cautious in directing or steering the Senate in the crafting of new Federal firearms laws to make sure that we do not take away from those fundamental constitutional rights, and yet the President wants sweeping new power in those areas and then wants to arbitrarily and politically decide when to forgive and forget.

Sorry, Mr. President, this time you do not get it both ways. Fool me once, my fault; fool me twice, no, I think not. That is what is happening. I am glad the American people have finally caught on.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPLORING THE ACTIONS OF THE PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the time during the future quorum calls be charged to the minority side.

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

Mr. HUTCHINSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. COVERDELL. 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. COVERDELL. Mr. President, I ask for the yeas and nays on S.J. Res. 33.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER (Mr. SANTORUM). The joint resolution having been read the third time, the question is, Shall the joint resolution, as modified, pass?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM) is necessarily absent.

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 273 Leg.]

YEAS—95

Abraham	Enzi	Lugar
Allard	Feingold	Mack
Ashcroft	Feinstein	McConnell
Baucus	Fitzgerald	Mikulski
Bayh	Frist	Moynihan
Bennett	Gorton	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Hagel	Reid
Breaux	Harkin	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kohl	Stevens
Crapo	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Dodd	Leahy	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lieberman	Warner
Durbin	Lincoln	Wyden
Edwards	Lott	

NAYS—2

Akaka	Wellstone

NOT VOTING—3

Graham	Gregg	McCain

The joint resolution (S.J. Res. 33), as modified, was passed.

The preamble, as modified, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 33

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered conditional clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the State Department in 1998 reiterated two longstanding tenets of counter terrorism policy that the United States will: ''(1) make no concessions to terrorists and strike no deals''; and ''(2) bring terrorists to justice for their crimes'';

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That making concessions to terrorists is deplorable and that President Clinton should not have granted clemency to the FALN terrorists.

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that I be allowed to speak briefly as in morning business.

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

THE PEOPLE OF RURAL OREGON AND THE STEENS MOUNTAIN

Mr. SMITH of Oregon. Mr. President, last week I spoke in this Chamber of the damage that has been inflicted by this administration upon the people and communities of rural Oregon. I spoke specifically about communities such as John Day and Roseburg, communities where the failure of this administration to keep its word with regard to timber harvests has brought

great harm to families, communities, schools, and to their roads.

I am grateful to this Senate and the Senator from Washington for his leadership on this issue and voting last week to put the interests of children and families above a survey of fungus, snails, and slugs.

I return to the floor today to share with my colleagues a story about another rural Oregon community, one that is facing an uncertain future because of possible actions by this administration.

I traveled this past weekend to the community of Burns, OR, in Harney County. Harney County is small in population and large in area. About 8,000 people live in this county. It is roughly the size of the State of Massachusetts. It includes part of the largest Ponderosa pine forest in the whole Nation. It includes over 100,000 head of beef cattle on vast open ranges. It includes the Steens Mountain.

I would like to speak to you about the Steens Mountain and what this administration proposes to do with it.

Let me begin by saying that to fly over the Steens Mountain, and to tour it on the ground and from the air, as I did last Saturday, is to see some of the most breathtaking scenery in this country or any other; and to stand on the ridgetops of the Steens is to view unspoiled vistas of the Kiger Gorge, the Alvord Desert, and other true national treasures. From its peak you can see the States of Idaho, Nevada, California, and nearly all of Oregon. It is a very special place.

The Steens Mountain has remained unspoiled for one simple reason: The people of Burns and Harney County love Steens Mountain. Through unique partnerships between the Bureau of Land Management and private land owners, who own almost 30 percent of the mountain, they have found a formula that has worked. Harney County residents take great pride in their stewardship of the mountain that one rancher referred to, to me, as a ''tough old girl.'' At the heart of their stewardship is the commonsense principle of multiple use.

Their pride is very justifiable. According to the Bureau of Land Management, over the past 30 years essentially 100 percent of upland and riparian conditions on the Steens Mountain that needed improvement has, in fact, been improved.

I traveled to the Steens in response to a trip that Secretary of the Interior Bruce Babbitt made there several weeks ago. After touring the mountain and praising what had been accomplished by local citizens, Secretary Babbitt also announced that only Uncle Sam could be trusted with the future of the mountain. He said that before this administration left office, he wanted to designate the mountain as a national conservation area or as a national monument; no matter what had been done before and how well it looked, still we cannot trust local citizens; we need to trust those with the wisdom of the bureaucracy in the beltway. Such a designation, as he proposed, would have far-reaching impacts, not only on the future of the mountain but on the future of those who live and work in its shadow.

Such an announcement would run counter to the significant efforts of the Southeastern Oregon Resource Advisory Council. It is known locally as the RAC. The council is made up of individuals from conservation groups, resource groups, public bodies, and Federal agencies that have assumed the responsibility of exploring the proposal for a Steens Mountain National Conservation Area. This cooperative approach is the type of open and public process that I support and one that should be supported by this administration. But this group now labors under the certainty that, no matter what they decide, a decision has already been made here that the administration will make a designation.

I plan to meet with Secretary Babbitt in the very near future. I hope to do it with my colleague from Oregon and Congressman WALDEN who represents this area. When we do, we will share the frustrations expressed to each of us by citizens of Harney County when we have visited there. They have asked me why this administration is trying to impose a solution where there is no problem. The old adage that this is ''a solution looking for a problem'' has never been more true than when applied to the Steens Mountain.

They asked me why this administration does not trust them to continue with their excellent management techniques and innovative practices that have been at the heart of their stewardship. They asked me why this administration would be promoting a designation that would undoubtedly bring more visitors to the area, thereby harming the very environment they supposedly seek to protect. And they asked me if the Secretary's promise to work with them in the months ahead was real or whether this administration has already made up its mind.

I would also like to put on the Record the taunting that is being made to the administration by some members of the environmental community from organizations that support more Federal involvement on the Steens Mountain. It was said in the open, in the presence of the media, that Secretary Babbitt and this administration were being urged to find a legacy other than the impeachment scandal. They were literally saying: Grab private land, and you can grab a better legacy for yourself. They were urging a version of a domestic ''wagging of the dog.''

I pray that this is not so because this is not the basis for good land management. Oregon does not need such an insult as was being urged upon this administration by some in the environmental community.

The bottom line is that I believe the future of the Steens Mountain in Harney County is in much better hands with the folks who live there—folks such as County Commissioner Dan Nichols and ranchers such as Fred Otley and Stacey and Elaine Davies—than it is, than it ever will be, in the hands of Federal bureaucrats who reside within the beltway.

Mr. President, I yield the floor.

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent for 5 minutes as in morning business.

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

THE ''13TH MONTH''

Mr. SMITH of New Hampshire. Mr. President, earlier today, there was quite a bit of colorful rhetoric and blustering on the floor by the Democratic Party about reports in the Washington Post today that Republicans were going to create a ''13th month'' to allow more spending on education and other programs.

Lest I be accused of partisanship, I think many of you know I am an Independent. So those who say I am going to speak on behalf of Republicans, I guess, would technically be wrong. I don't pretend to speak for the Republicans, and I am not privy to what was said in any meetings with the Republicans regarding the so-called 13th month. But let me speak for myself as an Independent and say I don't support a 13th month for any fiscal year.

But in their effort to be partisan and embarrass Republicans over what was probably a mischaracterization, in my view, in a liberal newspaper, my Democrat colleagues failed to address the key issue, which is, where do you come up with the money to fund all of these programs?

In their zeal to make partisan points and poke fun—and they did have a good time—they failed to offer any constructive solution. If you are going to poke fun and make jokes about the 13th month headline, what are your alternatives? My guess is they would prefer to use the same budget tactics they have been using for about 50 years. The result of those budget tactics over the past 50 years has been to run up the national debt to where it is almost $6 trillion, raid the Social Security trust fund, and in order to do it all raise taxes.

Every year, we do this. Every year, the train comes down the track and usually has a wreck. We spend, spend, spend, spend, and then we get to the

end of the year and we act as though there is some magic budgetary goblin running around eating up money and we invent these tricks to try to figure out how to break the budget, while we still tell constituents we balance it. It is pretty outrageous. We use every budgetary gimmick we can find: forward funding, emergency designation, baseline budgeting. You name it, you have heard it. Now we have ''13th month.''

For those of you who may be listening or watching right now, when you hear those terms, my advice would be to hang on tightly to your wallet because the story is, if a Democrat has a vision, it is probably focused right on your wallet, and that is what is happening now. They are having fun with this 13th month, but they have that luxury because they are in the minority. I suppose you can say, technically, so am I, but on this point I am siding with the Republicans. They didn't invent budgetary gimmickry.

Insofar as this Congress intends to use smoke and mirrors to secretly fund more rather than less unconstitutional programs, I don't intend to be a part of it. Our Founding Fathers would be ashamed of this whole debate for several reasons:

No. 1, they didn't intend for us to balance our budget using accounting tricks and elongated fiscal years.

No. 2, they didn't intend for us to burden our children with trillions of dollars in debt—trillions.

No. 3, they didn't intend for us to spend billions of dollars on education programs that should be handled at the State and local level.

My colleague, Senator GORTON, has been very instrumental on initiatives to try to bring that spending back to the State and local level where it belongs. So as perhaps the only nonpartisan person in the Senate right now, let me offer a solution. It is pretty simple. I have a way that we can support the Constitution, balance the budget, and not use any budgetary tricks at all. It is very simple: Don't spend the money.

The Department of Education is billions of dollars worth of unconstitutional infringements on State and local authority. Don't spend the money, if the Democrats don't want the Republicans using budgetary tricks, the Republicans don't want to break the budget caps, and the founders don't want us funding unconstitutional programs. So let's abolish the Department of Education. Then we can go back home to our school districts and say: You now have the constitutional authority you had in the first place to educate your children the way you choose—home school, private school, public school, whatever. By the way, you have more money to spend and the budget is balanced.

Very simple. Nothing complicated. So let me say the best way to end all the budgetary gimmickry is don't spend the money.

Mr. President, I yield the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRIVILEGE OF THE FLOOR

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that Denise Matthews, a fellow on the staff of the Appropriations Committee, be granted the privilege of the floor during the debate on H.R. 2084 and the conference report thereon.

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

Mr. LAUTENBERG. Thank you, Mr. President, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. GORTON. Mr. President, I have now cleared the following request.

I ask unanimous consent that no further amendments be in order to the pending Interior bill other than the managers' amendment or amendments on motions relative to the Hutchison royalties amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GORTON. Mr. President, I should like to make the following announcement. We will have that managers' amendment—I think there is only one that is possible; it may be in two sections—ready within the next half hour or so to present. It does represent an accommodation of the requests of many Members, with the understanding of all Members.

I think it will take only a very few minutes to present and to have it accepted. At that point, we will have only the Hutchison amendment outstanding. The majority leader has reserved the right to ask for reconsideration of the cloture motion that was defeated yesterday. I suspect when he chooses to do that, we will in a relatively short period of time finish debate and dispose of the Hutchison amendment one way or another and then go to final passage of the Interior appropriations bill.

That means, as far as I am concerned, I am going to vacate the floor at this point. Whenever the chairman of the Subcommittee on Transportation wants to start his bill, he can do so. I will ask him for the right to interrupt at some point when I am ready with the managers' amendment and present it then. I see no reason to keep the Senate from moving forward now.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—H.R. 2084

Mr. SHELBY. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 2084, the House-passed fiscal year 2000 Transportation appropriations bill, that all after the enacting clause be stricken, and the text of S. 1143, as modified by striking sections 321 and 339, be inserted in lieu thereof, that the amendment be considered as original text for the purpose of further amendment, and that points of order against any provision added thereby be preserved.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I object temporarily. I believe strongly that this legislation impinges in the area of jurisdiction of the Environment and Public Works Committee, and we will be discussing that further on. I do thank Senator SHELBY for the time he has given us in connection with this overlapping jurisdiction—I should not even say overlapping jurisdiction—we think is impinging upon the areas that belong within the jurisdiction of the Environment and Public Works Committee.

However, despite the fact that we have had numerous meetings—our staffs with his staff, myself to some extent with Senator SHELBY—we have not been able to resolve these issues. I believe the unanimous consent request that the Senator has just propounded will solve the problem as far as moving into the major difficulty in jurisdiction I will outline later.

I know the ranking member of the Environment and Public Works Committee is here, and he also has some difficulties with the jurisdiction that has been assumed by the Transportation Appropriations Subcommittee.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, reserving the right to object, and I will not, I appreciate the indulgence of the Chair and my colleagues for a very brief statement.

Those of us who were here and those of us who were not here but certainly

have an idea about it remember the effort that was put into passing TEA 21, the highway bill, a couple of years ago. Many Senators worked very long and hard.

I see the ranking member of the subcommittee, Senator LAUTENBERG; the chairman of the Subcommittee on Transportation, Senator SHELBY; Senator BYRD mightily helped put together a massive highway bill, otherwise known as TEA 21; Senator WARNER of Virginia; and, of course, the chairman of the committee, Senator CHAFEE. I assisted; Senator MOYNIHAN helped a lot; the majority leader, Senator LOTT. We had many meetings in Senator LOTT's office trying to put together all the provisions of the highway bill.

As one might guess, it is extremely complex. There were the Northeast States that had a certain point of view as to how the dollars should be allocated; the Western States thought they did not get a fair deal in the previous 6-year highway bill known as ISTEA; the Southern States. Then there were donee and donor States. There were groups that wanted more so-called CMAQ money. That is money that goes to areas to help them mitigate against pollution in their cities caused by automobiles and trucks. There were enhancement funds. Enhancement funds are for bikeways and other associated highway programs. There was research and development. There were intelligent highway systems. There were public lands. There were discretionary funds. There was park money. You name it. There were lots of competing interests that were put together a couple of years ago.

We finally put together a highway bill, and it passed on a bipartisan basis, a large vote: 89 Senators voted for it after much gnashing of teeth about what we were going to do with the 4.3 cents that was otherwise set aside for debt reduction in a previous Congress. We finally decided that was going to go to the highway program.

Our basic principle we agreed to was that all Federal gasoline taxes paid would go to the highway fund, and from the highway fund that money all goes back out to the States in the form of related highway programs, all funded with the gasoline tax. That was a major statement that TEA 21 made, the highway bill we passed a couple years ago.

It has worked quite well. On average, States got about a 40-percent increase each year compared with the previous 6 years; some States a little more, some less; but in the whole scheme of things it worked out quite well: On average, a 40-percent increase each year compared to the prior year.

This year we are considering the Transportation appropriations bill, the appropriations bill which basically says: OK, this money that is in the highway program, although there is contract authority that says the money has to be spent on highways, still, the Transportation Appropriations Committee basically just spends it. That is what it does.

There is a provision in the highway bill, TEA 21, which says this: Any additional money that comes into the highway trust fund—unanticipated additional money, presumably on account of a growing economy; and our economy has grown—will then be allocated, to the degree it is allocated, back to the States in the same way the highway bill itself was put together; that is, a certain percent under CMAQ, a certain percent under service transportation, a certain percent under minimum guarantees, a certain percent to public lands, et cetera; and in the same way.

It turns out that because of the additional gasoline taxes in the last year as a consequence of a prosperous economy, there is an additional $1.5 billion that is to be allocated under the highway bill according to the way the highway bill was put together. So there are no changes.

It turns out, with all due respect to the Transportation Appropriations Subcommittee, they have decided to change the highway bill, to rewrite it, and, rather than to have the money spent as provided for in the highway bill, to instead take all of that money—instead of, say, 10 percent as provided for under the highway bill under certain discretionary programs and 90 percent under the core highway programs—they take it all and put it under the core highway programs. I think that is very dangerous. It is a very dangerous precedent.

First of all, it is legislation on an appropriations bill. It is rewriting, adding legislation on an appropriations bill. Second, it is a precedent of the Appropriations Committee of, in effect, rewriting the program.

I grant you, this is a small matter. As a consequence of the Appropriations Committee's action, instead of $1.4 billion going to the core programs, $1.5 billion is going to the core programs. The additional that is going to the core programs does not go to the various programs I mentioned.

You might ask: Gee, what is the big deal? That is only about $120 million. The big deal is this. First of all, it is not much money, $1.5 billion versus $1.4 billion. Second, it is a big principle, because once we start down this slippery slope of the Transportation Appropriations Committee rewriting the highway bill and how dollars are allocated among States, then we are going to be tempted in following Congresses to take a bigger bite of the apple to redistribute even more.

Why is that a problem? That is a problem because highway programs take time. State highway departments must plan ahead. It takes 2 or 3 years, from conception to design, to bid letting, to construction, to build highways or to resurface. It is not a spigot you just turn on and off yearly. It takes time.

Second, here is another real concern I have. If the Appropriations Committee is rewriting the highway bill, then it is going to become political; the majority party is going to be determining the provisions in the highway bill. There will not be a bipartisan allocation of highway dollars; it will be a majority party allocation of highway dollars.

With all due respect, this is not an abstraction; this has happened in the concrete. In fact, the bill that was about to come to the floor did just what I feared would happen; namely—not the highway part but the mass transit part—the committee rewrote the bill, which took many dollars away from two States, California and New York. It does not take much imagination to figure out whether the Senators from those two States are in the majority party or the minority party.

I am just very concerned we are going to set the precedent of the Transportation Appropriations Subcommittee, A, rewriting the highway bill, which is bad because it takes a long time to plan these projects, and upsetting the apple cart which took a lot of effort to put together—I mentioned Senators BYRD, WARNER, CHAFEE, LOTT, and all of us—to try to work to put all the pieces together, but also because the majority party is going to be sorely tempted to be political; that is, to give dollars to the States of the majority party but not dollars to the States of the minority party. That might change. It might be the Democrats who are in the majority. Then that precedent will be set. That is not a good precedent. We should instead just do what is right.

I will sum up by saying it is true that every State will get a few more dollars under the rewrite by the Appropriations Committee. It averages about .35 percent. Gee, every State is getting a few more dollars—not many—so why not support it? My point is, it is only a few dollars. It is not going to really affect the States much at all. But it is the principle of going down the slippery slope of rewriting the highway bill without hearings, without any field hearings and hearings here in the Senate. The EPW Committee has not had hearings on this subject. The Appropriations Committee has not had hearings on this subject.

Just basically, it is political. I will not object at this point, but at the appropriate time various Senators will be making this point. I very much hope that when the point is made at the proper time, the Senators will very deeply consider this in a thoughtful way, because sometimes what you do in the short term, for short-term gratification, comes back and is harmful in the long run. I do think in this case it is better to think a little bit more about the purpose of the bill.

I thank the Senators for indulging me.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Is there objection?

Mr. SHELBY. I would like, first, to modify my unanimous consent request. I think it might be best that I restate it, if I may.

The PRESIDING OFFICER. Go right ahead.

Mr. SHELBY. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 2084, the House-passed fiscal year 2000 Transportation appropriations bill, that all after the enacting clause be stricken and the text of S. 1143, as modified by striking section 321, be inserted in lieu thereof—being amendment No. 1624—that the amendment be considered as original text for the purpose of further amendment, and that points of order against any provision added thereby are preserved.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. A question, if I might.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, it is my understanding that this is the language that has been worked out with our side.

Mr. SHELBY. That is exactly right.

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

(The text of amendment No. 1624 is printed in today's RECORD under ''Amendments Submitted.'')

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative assistant read as follows:

A bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. SHELBY. Mr. President, just for a few minutes I would like to address some of the overview, as I see it, of this Transportation appropriations bill.

Mr. President, after being delayed by the objection to the Transit Equity Provision, I am pleased that the Senate will finally have the opportunity to consider the fiscal year 2000 transportation appropriations bill. Although the subcommittee's funding allocation is tight, I believe we are presenting the Senate with a balanced approach to meeting our Nation's transportation needs by providing adequate funding for all modes of transportation.

At the same time, the senior Senator from New Jersey, Mr. LAUTENBERG, and I have gone to great lengths to craft a bill that I believe accommodates the requests of Members and funds their priorities.

The current fiscal constraints were especially felt in the transit account, where demand for mass transit systems is growing in every State. But funding is fixed by the TEA 21 firewall. My proposal for managing an account in which Members' requests were more than 20 times the available funds was the Transit Equity Provision.

This measure, which I included in the original subcommittee mark of the bill, would have limited the amount of transit capital funds any single State could receive in fiscal year 2000 to no more than 12½ percent of the total.

The two states that receive the lion's share of national transit funds—30 percent of the total in fiscal year 1999—are California and New York.

The provision would have redistributed any transit capital funds appropriated to these two states in excess of 12½ percent to the remaining 48 states. This would have resulted in approximately $5 million more for every other state, for their own transit programs—while New York and California would still have received more than $693 million each.

Last Thursday, however, the Senate failed to reach cloture on the motion to proceed to the transportation appropriations bill if it included the Transit Equity Provision, and I have agreed to strip the provision from the bill in order to move this legislation forward.

The equity provision is not central to the appropriations bill. The total program funding levels, which are set at the TEA–21 firewall limits, remain unchanged. I included the provision to help create more room within those totals for the national transit program.

My colleagues have written to me with new start project requests totaling $2.84 billion and with bus project requests totaling $1.8 billion.

If the appropriations bill honors all the current and anticipated full funding grant agreement projects and the bus earmarks for fiscal year 2000 that were included in the TEA–21 authorization, we have left only $96 million in new starts funding and $235 million in bus funding—to accommodate not only the billions of dollars' worth of requests from my colleagues in the Senate, but also the earmarks that have been included in the House transportation appropriations bill.

This task is beyond challenging: It is impossible. There is no way to begin to satisfy the demand for discretionary transit capital funds. I do not want this fact to catch my colleagues by surprise.

I bring this bill to the Senate floor today without the Transit Equity Provision. By engaging in a lengthy and public debate on this issue, as well as a recorded cloture vote, I hope that my colleagues are now more aware of the pressures on this account nationally, and that they better understand why I have so actively sought a way to provide funds for what I thought were my colleagues' transit priorities.

The bill honors our commitment to increase the flow of federal funds for construction to improve infrastructure throughout the nation.

Within the framework of a $49.5 billion total bill, $37.9 billion is provided for infrastructure investment in highways, transit systems, airports, and railroads. This is 6 percent more than last year's level of funding and is greater than the administration's request.

This bill respects the Highway and Transit firewalls that TEA–21 imposed. I would like to point out to my colleagues that we adhered strictly to the TEA–21 firewalls, even though outlays will be greater than the amount anticipated when Congress enacted TEA–21.

By providing the funds above the firewall level, there were fewer dollars available to fund other priorities within the subcommittee's jurisdiction, including the Coast Guard and FAA.

I believe this illustrates the pitfalls of trying to manage annual outlays in multi-year authorization legislation and is one of many reasons the Senate should reject a proposal to establish more budgetary firewalls around trust fund accounts.

I yield to my colleague under the unanimous consent agreement, the senior senator from New Jersey, the ranking member of the Transportation Appropriations Subcommittee.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, first, I thank my colleague and friend, Senator SHELBY, for having managed a very difficult problem with, frankly, less money than the amount we think transportation in this country deserves. We are entering a new century. It is hoped that we are going to be able to continue the prosperous and vigorous economy we now see. I think if there is one place where our funding allocations are deficient—and I believe they are deficient in many—transportation heads the list. It is necessary to have the kind of infrastructure that will propel us into continuing leadership in the 21st century, starting with transportation.

We see crowding in every mode of transportation—aviation; the skies are jammed. The highways are congested. They are spewing contaminated air all over the place, and our transit systems are operating well above capacity. So I approach this bill with less than total satisfaction because we, frankly, could have used more funds. I will discuss those for a minute.

I have served on the Transportation Appropriations Subcommittee for more than 14 years. As they say, time flies when you are having fun. I chaired the subcommittee for 8 years, and I have also had the pleasure of serving under other subcommittee chairmen including Mark Andrews, Mark Hatfield, who was a dear friend and inspired leader, and, most recently, RICHARD SHELBY.

Senator SHELBY, as his predecessors, has been attentive to the issues. He has consulted carefully with the minority members of the subcommittee. When it comes to funding levels included in this bill, Senator SHELBY has done the best he could, given the very limited resources allocated to this subcommittee. And though I wish we had more money, I am supporting this bill,

even with the limitations placed upon us, because of the efforts by Senator SHELBY.

When you consider the fact that this appropriations bill is going to usher in our national transportation agenda in the next century, it is clear that we are still not making the kind of investments we have to make to ensure continued leadership, economically and functionally, in the next millennium.

That is not the fault of the chairman. Rather, it is the fault of our overall budgeting process—and I say that both as the ranking member of this subcommittee and the ranking member of the Budget Committee.

The bill before us is almost $700 million below the level requested by the President in his budget.

The President's proposed transportation budget for fiscal year 2000, for the first time, exceeds $50 billion. This bill, however, is funded at less than $49.5 billion.

While the dollar amount in this bill does exceed the total provided for in fiscal year 1999, the growth is to be found in the highway and transit programs that enjoy firewalled funding under TEA–21.

The funding provided in this bill for other modal transportation which do not benefit from funding guarantees is severe. Funding for the Coast Guard is well below the President's request. Fortunately, we were able to include funding for the Coast Guard in the Kosovo supplemental appropriations bill. These funds will remain available and enable the Coast Guard to better meet its needs next year.

Funding for the Federal Aviation Administration is more than 6.5 percent below the President's request.

Funding for Amtrak: We are now approaching a time when Amtrak is about to step in, hopefully, to the 21st century, but it is at least starting to catch up in the 20th century even as we leave it. High-speed rail is around the corner—delayed, unfortunately, a little bit more than we expected it to be. But it is on its way. It is going to make an enormous difference. By way of example, if we didn't have the investment in Amtrak's Northeast Corridor to keep it going, we would need, as a substitute, 10,000 flights every year—10,000 new flights between the Boston area and the Washington area, including New York. That would be something beyond comprehension in terms of the crowded skies—200 new flights a week.

Funding for the critical highway safety functions, or the National Highway Traffic Safety Administration, is cut by more than $50 million, or 15 percent below the level requested by the administration. A large part of the problem is that, when we marked up appropriations bill in May, we were capped by the low authorization levels in TEA–21. Since that markup, the House and the Senate passed, and the President signed, a sizable increase in these authorization levels for highway safety. But now that the authorization levels have been increased, there is no funding in the subcommittee's allocation to fund even part of them.

These are difficult funding cuts. But despite these cuts, I support this bill. Frankly, I am putting some hope in the fact that the bill as passed by the House of Representatives had an allocation that was more than $0.5 billion larger than the allocation granted to the Senate Transportation Subcommittee.

As we approach conference on this bill, I expect to work closely with Chairman SHELBY and the chairman of the Appropriations Committee with the goal of bringing back a transportation conference report that better meets the needs of the FAA, the National Highway Traffic Safety Administration, the Coast Guard, and the other critical functions of the Department of Transportation.

Mr. President, I emphasize once more that the reason this bill is so tight is not because Chairman SHELBY doesn't want to fund the necessary parts of the transportation bill's requirements but, rather, we are caught by the funding caps that have controlled the Appropriations process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1625

(Purpose: To make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents involving the failure to disclose information on the overbooking flights)

Mr. WYDEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon (Mr. WYDEN) for himself, Mr. LAUTENBERG, and Mr. SHELBY, proposes an amendment numbered 1625.

Mr. WYDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided,* That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents: *Provided further,* That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technologically infeasible''.

Mr. WYDEN. Mr. President, first I express my thanks to the bipartisan leadership of the committee, Chairman SHELBY, who has been extraordinarily helpful on this matter, which is a critical issue of protecting the rights of airline passengers in this country, and I also thank my longtime friend, Senator LAUTENBERG, who has spent a great deal of time with me on this issue over the last few months. The bipartisan leadership of this committee stands out in the Congress in terms of trying to ensure that airline passengers get a fair shake. It is high time, Mr. President, and colleagues.

Last year, we saw an unprecedented increase in the number of complaints by airline passengers about shoddy service. In the first 6 months of this year, we have seen another unprecedented increase in complaints by passengers of airline service.

This is the first of two amendments I intend to offer with the chairman of the subcommittee, Mr. SHELBY, and the ranking minority member, Mr. LAUTENBERG, to try to balance the scales and ensure that the passengers get a fair shake and, in particular, get information about key services, such as the lowest fare, and accurately be told when a flight is overbooked.

I emphasize to my colleagues that I am not proposing the Congress establish a constitutional right to a fluffy pillow on an airplane flight or a jumbo bag of peanuts. But I think airline passengers have a right to timely and accurate information.

The purchase of an airline ticket today in America is like virtually no movie choice. Unlike movie theaters that sell tickets to a movie or a store that sells soccer balls, the airline industry provides no real assurance that they will be able to use the product as intended. They have made a variety of voluntary pledges to try to turn around this situation. But what we have seen in the last few days as a result of a study by the GAO and a study by the Congressional Research Service is that these voluntary pledges by the airline industry aren't worth much more than the paper they are written on.

I am very pleased to offer this first amendment to try to ensure that passengers can be informed when an airline is overbooked.

Again, I thank the bipartisan leadership of the committee. In addition to Senators SHELBY and LAUTENBERG, Senators CAMPBELL and FEINGOLD have also been supportive in finally holding these airlines accountable with respect to making sure passengers are informed when a flight is overbooked. That is the problem today in America with overbooking. If you call an airline right now and they are overbooked, they won't tell you that before they sell you a ticket. The public has a right to know. The passengers have a right to know. These voluntary pledges aren't going to do it.

For example, the voluntary pledge the airline industry has made on overbooking is, and I quote:

They will disclose to passengers upon request whether the flight on which the passenger is ticketed is overbooked if within the usual and ordinary scope of such employee's work, the information is available to the airline employee to whom the request is made. -

In plain English, that means if you are lucky and happen to ask the right employee you may get a straight answer on overbooking.

In plain English, that means if you are lucky and happen to ask the right employee you may get a straight answer on overbooking.

This bipartisan amendment says the Department of Transportation inspector general can and should investigate as a deceptive trade practice the failure to inform the consumer when a flight is overbooked. In 1997, the Department of Transportation reported the airlines bumped more than 1 million passengers. Since that time, more than 100,000 passengers have been bumped involuntarily. This means more than 100,000 passengers are paying for seats they never sat in.

I think it is time to make sure the public's right to know is protected. This first bipartisan amendment gives Members that opportunity.

My thanks to my senior colleague, the chairman, and the ranking minority member. I urge the Senate to adopt this amendment.

I yield the floor.

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I commend our colleague for this amendment and for the substance of the amendment.

There has been constant pressure on the airlines to provide seats and make accommodations available. For those who think they are going on a journey—some emergencies, some recreational, some for routine work—it matters not. The fact of the matter is, when someone makes a reservation on an airplane, they ought to know whether or not there is a pretty good chance they will arrive at their chosen destination. We know there is not a way to positively predict this. However, the passengers who have paid for their tickets should have a pretty good chance of arriving when the flight is scheduled to arrive.

I think this is positive amendment. It is pretty simple. The Senator from Oregon deals with the problem of airlines continuing to sell tickets on oversold flights and refusing to divulge that fact to their customers.

I consider myself a friend of aviation. I have worked very hard with the FAA and the airlines to make sure we offer reliable and safe service. With all of the crowding, our system is still remarkably safe. It handles far more flights than we ever expected. Are we up to date in everything we can do? I say absolutely not; the requirements far exceed the capacity.

The least we ought to do is tell passengers if there is a reasonable chance that they will get to their destination. The person who travels from Cincinnati to New York, perhaps to catch a flight overseas, arrives with their baggage. They have a 2-hour connection or an hour-and-a-half at Kennedy or Newark Airport on their way to Rome. The only problem is, they arrive 3 or 4 hours later because they were bumped off the flight and they miss their flight to Rome.

I had an experience a couple of weeks ago. This is probably a good story for democracy. I got to the airport, and they said the flight was sold out. I had made a reservation, given a credit card number. I arrived at the airport, and they said the airplane was filled. I got there 15, 20 minutes before flight time. I said: What do you mean, it is filled? They said: Yes, that seat is sold. I said: The seat was sold twice, and the first one who got there got it.

No one told me the rules, that a passenger had to beat the other guy to the starting line to guarantee the seat for which they paid.

Needless to say, I was a little annoyed. I didn't jump over the counter and threaten anybody, but it was not a pleasant experience. Instead of taking one direct flight back home, I had to take two—first flying north before I could fly south. All I could get was, ''Sorry, we sold the seat.'' It is an unpleasant experience.

When they took the reservation which I made personally and gave my credit card number, they said fine and gave me a confirmation number. When I got to the gate to get on this airplane, the clerk behind the desk said: This airplane has been sold out. But they took my money anyway.

The Senator from Oregon is standing behind the passenger who is not getting a lot of attention these days. The airlines handle a lot more traffic than they expected. They are also making a lot more money and I'm glad that they are. But they must also provide the service in a manner that is respectful of their passengers.

What the Senator from Oregon is asking for is simple: If you are going to sell a ticket to him, to me, to anybody, please tell them if the flight is oversold. Then passengers can plan for it or figure out a backup instead of being innocently led to a blind wall where they can't go farther.

So I support this amendment. I support it enthusiastically.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1626

(Purpose: To make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers involving denying airline consumers access to information on the lowest fare available)

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment and send another amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself, Mr. LAUTENBERG, and Mr. SHELBY, proposes an amendment numbered 1626.

Mr. WYDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided*, That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further*, That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communication''.

Mr. WYDEN. Mr. President, this amendment I also offer with the bipartisan leadership of the subcommittee, Chairman SHELBY and Senator LAUTENBERG. Again, I express my thanks to both of them. As you could tell from Senator LAUTENBERG's excellent statement, he has strong views on this matter. They go back a long time.

One of the areas I most admire about Senator LAUTENBERG has been his extraordinary work on tobacco control. The fact of the matter is, Senator LAUTENBERG for years led that effort to make air flights healthier in our country. That is just one of the many contributions he has made in public service. We thank him for it.

This amendment as well is supported by the chairman of the subcommittee, Chairman SHELBY, and the ranking minority member, Senator LAUTENBERG. As I have sought to do with respect to overbooking, again this amendment would ensure there were teeth behind this so-called pledge by the airlines to make information about the lowest possible fare available to the consumer. Finding the lowest air fare in America is now one of the great mysteries of Western life.

On any given flight there may be as many different fares as there are passengers on the plane. One of the things that experts in aviation have said for some time is if you want to start a brawl on an air flight, ask the passengers to compare notes with respect to how much they paid for a ticket because there will be remarkable differences, even among people who made the same sort of arrangements to fly.

The purpose of this bipartisan amendment is to make sure, no matter

how a customer contacts an airline—at the ticket counter, over the telephone, or at an airline's web site—the customer would get the same information about the lowest fare. Again, the airlines in these voluntary pledges that they have made have a lot of lofty rhetoric about telling the consumer about the lowest fare, but the harsh reality is that it is business as usual. This amendment would hold the airlines accountable to their pledge to actually make available to the consumer, in an understandable way, information about the lowest fare available.

The pledge to offer the lowest fare available as it stands now, in the voluntary package from the airline industry, is, again, sort of more hocus-pocus, as far as the consumer is concerned. In effect, what the airlines are now saying is that if a consumer uses the phone to call an airline and asks about a specific flight on a specific date in a specific class, the airline will tell the consumer the lowest fare, as they are already required to do by law. Not only will the airlines not provide the consumer relevant information about lower fares on other flights on the same airline, they will not even tell the consumer about lower fares that are probably on the airline's web page—and for obvious reasons. Once they have you on the phone and they can get you at a higher price, they might not be so interested in letting you know about something else that is available on the web page.

Recently a Delta agent quoted a consumer over the telephone a round trip fare to Portland, my hometown, of $400, and 5 minutes later the consumer found a price of $218 for the exact same flight on Delta's web page.

What this amendment stipulates, again, as with the bipartisan effort with respect to overbooking, is that the passenger has a right to know. The public has a right to know. We are not setting up any new Government agencies. We are not calling for some micromanaged, run-from-Washington kind of operation. We are saying the passenger deserves a fair shake with respect to accurate information on the lowest fares that are available.

So this amendment, that I am proud to offer again with the chairman of the subcommittee, Chairman SHELBY, and Senator LAUTENBERG, would stipulate the Department of Transportation could investigate as a deceptive trade practice the failure on the part of an airline to tell the passenger the lowest fare that is available, no matter how the customer contacts the airline. Under the voluntary pledge, again, the airlines are going to be in a position to withhold information about the lowest fares from customers, information that they have, as Senator LAUTENBERG noted in his previous statement, and information that ought to be supplied to the consumer so the consumer can make accurate choices.

All we are talking about in both of these amendments is access to information, full disclosure, the public's right to know. But the failure to do it, the failure to inform the consumer, ought to be treated seriously by this Congress.

These two amendments provide that opportunity to do so by saying the Department of Transportation can investigate as a deceptive trade practice the failure to inform the public, in this case of the lowest fare available, in the previous case information about overbooking.

I know time is short and there is much to do with respect to this important legislation. I thank Senator SHELBY and Senator LAUTENBERG for their support. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. SHELBY. Mr. President, 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. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. ROCKEFELLER. I thank the Presiding Officer.

CONGESTION AND DELAYS IN AIR TRAFFIC SYSTEM

Mr. ROCKEFELLER. Mr. President, there is a very famous line that we all know from the heroic astronauts of *Apollo 13.* The line is: ''Houston, we have a problem.''

Today, many of us who have spent the August recess traveling to our home States and various places across the country also realize that we ''have a problem'' in the air. This problem is not only in Houston, it is in Atlanta, it is in Chicago, it is in Cleveland, it is in Detroit and in nearly every other city across the country.

Over the last month, there have been very troubling reports of unprecedented increases in congestion and delays in our national air traffic system—long hours of delay. I have not heard a speech in this Chamber about this in the last several months. We spent most of yesterday having, I guess, basically a political debate about the Puerto Rican clemency situation, but this is urgent in a very different way because it involves life and death, the national economy, and congestion which is beyond the scope of thinking of many of our fellow citizens.

We are not talking about merely an inconvenience. We are talking about a potential crippling of the national economy and, if ignored, we are talking about extremely serious safety issues.

I happen to be an admirer of FAA Administrator Jane Garvey. I think she is very good, and I think she is tough. She ran an airport in Boston. That is a tough thing to do. I have a lot of confidence and faith in her. She canceled her own summer vacation plans because the crisis was so bad. She stayed in Washington to work with the controllers and with the airlines on this enormous congestion problem on which I will elaborate in a minute.

Beginning in mid-July, the FAA and the carriers conducted an on-the-spot evaluation of about 33 different facilities across the country in the air traffic control system. That is the one which routes our planes hither and yon; they better be right.

In this evaluation, they came up with a short-term plan for reducing delays and for improving some inconveniences. It is really too soon to say how effective it will be. I am glad they did it, but we cannot draw any final conclusions from it.

Everybody involved with the plan seems to agree that these short-term fixes are nothing more than that—short-term fixes. They are meant to address symptoms of an underlying problem which we in Congress consistently fail to address, which is an air traffic control system that must be modernized—but we will not do it, nor put up the money for it—restructuring within the FAA and other areas in order to meet surging travel demands and remain viable, as they say, into the next century.

Of course, while this serious problem-solving effort was going on at the FAA and its facilities during this summer, we in the Congress, and especially we in the Senate, have largely or virtually—totally, I should say—stood by. We have watched. We have not even commented. We have simply watched or in some cases even looked the other way. Lack of concern? Too complicated? I do not know.

We continue in this same vein that we have approached aviation for more than a year now, ignoring the problem, ignoring the cost, ignoring the solutions, ignoring the complexity, by avoiding the issue and refusing to make the time to debate it in a serious way.

We left for the August recess without even bringing up FAA reauthorization or the airport improvement program reauthorization. That is our most basic aviation responsibility. That is our bottom line. We failed to do it. In fact, we all went home knowing that the airport funding program was going to lapse. And, of course, on August 6 it did.

Some would have you believe that the FAA reauthorization bill is so mired in controversy that we just cannot do it—not a matter of not wanting to do it; we cannot do it. I am here to tell you—and to implore you—that most of the bill is entirely resolved and that the remaining issues require only some healthy debate, a measure of compromise; and if we will only make the time, we can certainly get all of this done and need to this month.

I understand that the majority leader and the Democratic leader have been working very closely on this matter, on doing just exactly that, having us work on it, finding the time to bring the FAA bill to the floor. It used to be that an FAA bill did not have all that much significance. Actually, that is probably not a true statement. Today it has overwhelming complexity and significance to it.

Senators HOLLINGS, MCCAIN, GORTON, and I are doing our very level best to work out as many of the remaining issues as we possibly can so the bill will go smoothly and quickly on the floor. And we believe that it can, if given a chance.

But the important thing is that we get going, is that we do something, is that we bring it here, is that we discuss it, is that we are educated by it, by some of the facts that surround it because the consequences of inaction are growing very dangerous.

Some facts:

The Air Transport Association reports that air traffic control delays were up 19 percent from January through July of 1999 and 36 percent from May through June of 1999 as compared to the same periods in 1998.

With an average of 1,358 aircraft delayed each day from May through July as a result of something called air traffic control, and an average of 106 passengers per aircraft, the Air Transport Association estimates that 140,000 passengers were delayed in America each day from May through July of this year—140,000 passengers each and every day.

For the first 5 months of 1999, as compared to the same period in 1998—a 1-year difference—delays increased at Detroit 267 percent; at Las Vegas, 168 percent; at Chicago Midway, 158 percent; at Cincinnati, 142 percent; at Dallas/Fort Worth, 131 percent.

ATA reports that 625 million in passenger minutes of passenger delay each year costs the economy over $4 billion annually and results in passengers being delayed 28,500 hours each day on average—with the numbers going up every month.

And 72 percent of the delays are weather-related, they say—it may be true, it may not be—but that does not mean that the weather is so bad that we cannot avoid gridlock on our part.

We can, and we must, continue to invest money in training and staffing, in paying for advanced automation tools to enable controllers to work around bad weather and minimize disruption to the extent that, in fact, they would be able to if we were willing to fund them and to give them the possibility of doing that. This technology and this capability exists at this instant and should be improved upon for tomorrow.

Before we jump to blame the FAA for all these current problems, I should be very clear that I believe the carriers also share some responsibility, as do we in Congress, again, particularly in the Senate.

FAA reports that traffic increases are greatest in the Northeast. That is not a surprise; that is where a lot of people live. And it appears to be the result of several factors: a stronger economy; the influx of regional jets, which fly at the same altitude but not nearly as fast as the big jets, so it complicates the way planes can be maneuvered; significant deliveries of new aircraft to major carriers that have to keep them flying—they have no economic choice to begin to recoup their investment, even if fewer flights would meet their customers' actual needs—the efforts by a couple of the major airlines to develop low-cost/low-fare operations along the eastern seaboard to compete with Southwest on point-to-point routes; and in some cases excessive airline scheduling.

For example—and I see my good friend, the senior Senator from New Jersey—only 48 arrivals are possible each hour at Newark Airport in very good weather. But for marketing purposes, individual carriers are scheduling 55 to 60 arrivals at Newark Airport during the exact same hours. This happens at hub airports all across the country and effectively guarantees delay no matter what the FAA, no matter what the controllers might want to do.

Allow me to begin to finish with a quote from the latest major study of the system, the broad system, by the National Civil Aviation Review Commission in 1998. The Commission's warning is compelling and has been affirmed by the industry, affirmed by the Department of Transportation, the FAA, the National Transportation Safety Board, and the Gore Commission on Security and Safety, and everybody else who works in or on or with aviation.

Their quote:

> [W]ithout prompt action the United States' aviation system is headed for gridlock shortly after the turn of the century. If this gridlock is allowed to happen, it will result in a deterioration of aviation safety, harm the efficiency and growth of our domestic economy, and hurt our position in the global marketplace. Lives [will] be endangered, the profitability and strength of the aviation sector could disappear, and jobs and business opportunities far beyond aviation could be foregone.

So given all of this, I say that we do not just have a problem at Houston but we have a problem all over America.

What more do we need to know before we are inspired to act? Must we wait until the gridlock is upon us? Are we waiting for some catastrophic event? Are we waiting to be shot out of our inertia? That is what we have been doing here in the Senate for some time. And does it have to come to unnecessary deaths? Sometimes that happens in America. People don't pay attention until there is something so horrible that they want action.

That is not what we want to happen in the Senate. We are given the responsibility for aviation policy—our section of it. We have an authorizing and appropriating process. We have not been exercising it. We have been consistently underfunding the most basic aspects of our aviation system. We know it, we will not change it, and we do not talk about it.

We simply cannot continue to sit on our hands, waiting until it is ''convenient'' to start the debate. We are underinvesting in our system to the tune of at least $6 billion each year—$4 billion short on air traffic equipment and technology, an instrument of safety, and $2 billion short on airport infrastructure and capacity improvements. These are just the funds needed to keep us going at the current, entirely unacceptable rate and not to improve our situation but just to keep us where we are. I trust my words have convinced my colleagues that I do not believe that is sufficient.

So closing this $6 billion annual funding shortfall doesn't even begin to modernize and do what we need to do in the aviation system. That is a sensitive subject, and $6 billion is a lot of money. We don't like to talk about spending that, but we will get nowhere in aviation without it.

Without getting too much into some especially contentious differences between the House and Senate aviation bills, let me state the obvious about this apparent funding gap. We all know there is money in the aviation trust fund that could and should be used. There are any number of ways to do it. We could take the trust fund off budget; we could firewall the revenues; we could simply spend more on the discretionary side for critical and growing needs in our aviation infrastructure. The point is that we have to make a commitment to fix and improve this system, and it is going to take money to do it. We cannot avoid that.

So today, I say to colleagues, it is time to talk about the needs of the FAA, time to talk about the needs of the aviation system. We cannot simply go on to conference on a blank bill, and I don't think that is the intention anymore. We can't write the bill in conference. We can't do this without debate or without input from this body. Thankfully, this week I am beginning to feel cautiously optimistic about our ability to work together to get this bill to the floor. Frankly, we owe it to the traveling public and to the tireless air traffic controllers. I don't know how many of you have watched these folks work and looked at the equipment with which they have to work. It is a shocker. In some cases it is stunningly wonderful, and in some cases it is shockingly poor.

At some point, underinvestment in something as important as what will carry a billion passengers in 6 or 7 years—our aviation system—will catch up with us. I fear that day is already upon us. The consequences of continued inaction are terribly real—real for public safety and real for our national economy. So let's go forward and take

the work that our majority and minority leaders are now talking about and get to this bill.

I thank the Chair and yield the floor.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

Mr. SHELBY. Mr. President, I ask unanimous consent that the time on two amendments that have been offered by Senator Wyden relative to airline reporting be limited to 1 hour of total debate, to be equally divided in the usual form. I further ask that votes occur on or in relation to the Wyden amendments in the order in which they were offered, beginning at 11 a.m. on Wednesday, tomorrow, with 2 minutes for explanation between each vote and no additional amendments in order prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, in light of this agreement, there will be no further votes this evening, and the next votes will occur at 11 a.m. Wednesday, tomorrow.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to commend the distinguished Senator from West Virginia for an excellent statement with respect to the air traffic control system. It seems to me what the Senator from West Virginia has pointed out is that our country, to some extent, wants a 21st century air traffic control system and they want to figure out how to do it on a 19th century budget.

The Senator from West Virginia, it seems to me, is saying it is time for all of us in the Congress to, in effect, put our dollars where our mouth is with respect to safety. If you are serious about improving safety, you have to fund this woefully inadequate air traffic control system.

The fact of the matter is, the Senator from West Virginia has spent many years battling to strengthen the air traffic control system, as has the distinguished ranking minority member of the Senate Commerce Committee, Senator HOLLINGS. I think the Senator from West Virginia has given an extremely important address this afternoon in terms of highlighting how critical it is to the safety agenda of the American people. You cannot do what is needed to improve safety for airline passengers in this country without following the recommendations of the Senator from West Virginia. I wanted him to know that his remarks were heard, and heard clearly, by this junior member of the Commerce Committee.

I will wrap up this afternoon by thanking again Senator SHELBY and Senator LAUTENBERG for their support of the two amendments I am offering that will be voted on in the morning. They are simple, straightforward amendments calling for disclosure with respect to overbooking of airline flights, making sure the passengers can actually know about the lowest fares that are available, whether it is over the telephone or on a web site.

As we wrap up this afternoon, my understanding is that we will have additional time to discuss this on the floor of the Senate tomorrow morning. I am very proud to have the support of the chairman of the subcommittee, Mr. SHELBY, and the ranking minority member, Mr. LAUTENBERG, on the two amendments that will come up tomorrow morning with respect to disclosure. I also thank their staffs and the staffs of the Commerce Committee, who have been working to make it possible, procedurally, for the Senate to consider these in the morning.

With that, I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Oregon for his contribution in the form of these amendments. We work together on the Budget Committee, and on other matters. He is always thoughtful on the matters he brings to the Senate.

Before the Senator from West Virginia leaves the room, I want to say to him that one of the things he talked about, sort of indirectly, in terms of getting the FAA up to the point that it should be in order to take care of the volume of traffic we have—we must make air travel more user friendly. You do that by providing an infrastructure that can accommodate the volume of traffic we have. I commend the Senator from West Virginia. He works very hard on matters of aviation. We are grateful to him for his contribution.

I would like to say this. One of the things that kind of pervades the discussion that has gone on here for the last while by the Senator from Oregon and the Senator from West Virginia is that there has to be a change in attitude, in my view.

The airlines have to understand that they have a precious commodity when they have license to offer the services that they do. They are not unlike the doctor who provides excellent service who uses the hospital operating room for his or her work.

We provide airspace—limited airspace. We provide huge investment in technology to have a system operate better. We provide airports. We provide facilities. And all of this is not designed to punish. My conversation is not designed to punish the airlines but to make sure it is remembered that they are serving the public, with the permission of the Government indirectly, by providing the kinds of facilities that can accommodate the number of flights and the routes that are being used. It is user friendly.

I recently proposed something in New Jersey that has some people in government a little nervous. I suggested that when someone has to wait to pay a toll and it gets beyond a certain point, the drivers be permitted to go through free. I call it a deadline, Don't Encumber Drivers—DED—because otherwise those toll road authorities just collect their money. It just takes them a little while longer. But the one who pays and gets less service is the driver. You sit there in all of that smog, fog, and congestion. You miss your appointment, you don't get to work, you don't get to school, you don't get to the doctor, and shopping is not done on time.

Why is it that the user is the one always pays the price?

You go into a well operated supermarket, and they open more lanes so you can pay your bills faster because they know you don't want to stand around there to have to give them your money. So it is also, I think, with the airlines.

I don't want to see them punished. This isn't designed to be punitive. What we are suggesting here is designed to make it fairer for the traveling passenger. Rather than bumping people, there ought to be other ways to deal with it, so that if someone is bumped, the airline also feels the pressure—not just the passenger if the airline chose to oversell the seats.

I don't want to see the airlines flying with empty seats. That is not a mission at all. Maybe they have to come up with a different scheme. Maybe there has to be a deposit when you make an airline reservation. I have talked to lots of people who would make two or three reservations on airplanes on different flights so they could do it at their convenience, which means that someone else could not fly because they have blocked these seats. Maybe there has to be a deposit when the reservation is made to be used either for a trip or as a cost for doing business.

If you want to have furniture delivered to your house, you can't get it delivered without suffering some kind of a penalty if they deliver it and nobody is home and they have to turn around and take it back, or if you want to cancel midstream. Try buying a car without a deposit. They will tell you no. You can't have your wash done without having a laundry ticket.

In any event, I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT 2000—Continued

AMENDMENTS NOS. 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, AND 1636

Mr. GORTON. Mr. President, I send a package of amendments to the desk and ask unanimous consent they be numbered separately. These amendments have been cleared on both sides.

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

Mr. GORTON. For anyone who is listening, these amendments include one by the Senator from North Dakota, Mr. DORGAN, on National Forest-dependent rural communities; two by myself, one technical and one with respect to a Plum Creek land exchange; one by Senator KYL of Arizona with respect to funding for tribal school operations; two by Senator REID of Nevada on conveyances in that State; one by Senators MURKOWSKI, BINGAMAN, and COCHRAN with respect to Federal energy use, to which is appended a statement by Senator COCHRAN; and one by Senators BREAUX and LANDRIEU with respect to Fish and Wildlife Service authority to retain and use certain fees.

Mr. GORTON. Mr. President, I ask unanimous consent those amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1628

(Purpose: To make technical corrections to the National Forest-Dependent Rural Communities Economic Diversification Act of 1990)

On page 132, between lines 20 and 21, insert the following:

SEC. 3___. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION.

(a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''national forests'' and inserting ''National Forest System land'';

(B) in paragraph (4), by striking ''the national forests'' and inserting ''National Forest System land'';

(C) in paragraph (5), by striking ''forest resources'' and inserting ''natural resources''; and

(D) in paragraph (6), by striking ''national forest resources'' and inserting ''National Forest System land resources''; and

(2) in subsection (b)(1)—

(A) by striking ''national forests'' and inserting ''National Forest System land''; and

(B) by striking ''forest resources'' and inserting ''natural resources''.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking ''forestry'' and inserting ''natural resources''.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking ''forestry'' and inserting ''natural resources''; and

(2) in the second and third sentences, by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking ''forest resources'' and inserting ''natural resources''; and

(2) by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

AMENDMENT NO. 1629

(Purpose: To make a technical correction to a U.S. Code cite)

On page 14, line 6, strike ''(22 U.S.C. aa–1)'' and insert ''(22 U.S.C. 2799aa–1)''

AMENDMENT NO. 1630

Insert at the end of Title III in H.R. 2466:

SEC. . INTERSTATE 90 LAND EXCHANGE.

(a) Section 604(a) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. L. 277, 12 Stat. 2681–326 (1998) is hereby amended by adding at the end of the first sentence: ''except title to offered lands and interests in lands described in section 605(c)(2)(Q, R, S, and T) must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a three year period beginning on the later of the date of enactment of this Act of consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld.''

(b) Section 604(b) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. Law 277, 12 Stat. 2681–326 (1998), is hereby amended by inserting after the words ''offered land'' the following: ''as provided in section 604(a), and placement in escrow of acceptable title to the offered lands described in section 605(c)(2)(Q, R, S, and T).''

(c) Section 604(b) is further amended by adding the following at the end of the first sentence: ''except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., W½W½ of Section 16, which shall be retained by the United States.'' The appraisal approved by the Secretary of Agriculture on July 14, 1999 (the ''Appraisal'') shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4 and Township 20 North, Range 10 East, W.M., Section 32 during the Appraisal process in the context of the whole estate to be conveyed.

(d) After adjustment of the Appraisal, the value of the offered and selected lands, including the offered lands held in escrow, shall be equalized as provided in section 605(c) except that the Secretary also may equalize values through the following, including any combination thereof:

(1) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(2) to the extent sufficient acceptable lands are not available pursuant to paragraph (1) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

(e) The Secretary shall promptly seek to identify lands acceptable for conveyance to equalize values under paragraph (1) of subsection (d) and shall, not later than May 1, 2000, provide a report to Congress outlining the results of such efforts.

(f) As funds or lands are provided to Plum Creek by the Secretary; Plum Creek shall release to the United States deeds for lands and interests in land held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the exact reverse order listed in section 605(c)(2).

(g) Section 606(d) is hereby amended to read as follows: ''the Secretary and Plum Creek shall make the adjustments directed in section 604(b) and consummate the land exchange within 30 days of enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date.''

SEC. . THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999.

(a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled ''Snoqualmie National Forest 1999 Boundary Adjustment'' dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the Office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundary of the Snoqualmie National Forest, as adjusted by this subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

Mr. GORTON. Mr. President, I will comment further on that amendment. A number of objections from people in the vicinity of a portion of that land exchange were made both to me and to my colleague, Senator MURRAY. The letter responds to many of those concerns, and others will be responded to by the Plum Creek Company itself.

I would like to say a number of those objections were valid objections and deeply concerned this Senator, and we hope they will largely be alleviated by the prompt response of Plum Creek.

Mr. President, I ask unanimous consent a letter addressed to me from Plum Creek be printed in connection with the Plum Creek land exchange amendment.

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

PLUM CREEK TIMBER CO.,
Seattle, WA, September 14, 1999.

Hon. SLADE GORTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR GORTON: We greatly appreciate your continuing efforts to resolve the issues created by the discovery of marbled murrelets on lands to be acquired by Plum Creek as part of the I–90 Land Exchange. Plum Creek agrees with the legislative language worked out by your office and the U.S. Forest Service to accommodate the new lands package and we are prepared to assist in any way that we can.

We are aware that some opposition has developed over the lands near Randle, Washington, that Plum Creek would receive in the exchange. The opponents have painted a dismal scenario of what Plum Creek might do when the exchange is complete and we want to assure you of the facts.

First, Plum Creek has an excellent reputation of including neighbors and local communities in the planning process. We have not yet developed any specific plans for the Randle area, and will not until we have met with community leaders and heard first-hand their concerns. We are prepared to consider any options that will help to resolve the issues.

Second, our own standards and the strict forest practice rules of the state of Washington require that great care be taken to identify and avoid any areas of geological concern, such as unstable soils and steep slopes. Indeed, after extensive public study and comment, nearly 10,000 acres of U.S. Forest Service land was removed from consideration early in the exchange process for just this reason. The land that remains in the exchange has been thoroughly studied and can, with careful planning, be managed in a thoughtful and appropriate manner.

Third, any Plum Creek operations will be strictly governed by our own Environmental Principles and the standards of the American Forest and Paper Association's Sustainable Forestry Initiative.

Plum Creek is willing to continue to work with local citizens, the U.S. Forest Service, and the Delegation to resolve important issues upon completion of the I–90 Land Exchange. We continue to believe the Exchange is a fair deal for Plum Creek and a great deal for the public.

BILL BROWN.

Mrs. MURRAY. Mr. President, included within the Manager's amendment to the FY 2000 Interior Appropriations bill is a technical fix to last year's legislated I–90 Land Exchange. The amendment to the legislation was necessary to address to discovery of nesting marbled murrelets on two parcels of Forest Service land originally set to be exchanged to Plum Creek Timber Company. The language in the amendment is agreeable to both the Forest Service and Plum Creek.

Other issues, particularly that of potential landslides on parcels of land being transferred to Plum Creek near the town of Randle, Washington, have recently arisen. Members of the community are fearful that if some of these lands are harvested by Plum Creek that dangerous landslides are possible. I believe this a legitimate concern and have begun discussions with the Forest Service, Plum Creek, Congressman Baird and Senator Gorton as to possible solutions. I believe, however, that the land exchange is a benefit to the people of Washington and should proceed as we continue to work on the issue of concern to Randle residents.

I ask unanimous consent to have printed in the RECORD a letter to me from Plum Creek regarding the company's commitment to protecting the welfare of local communities, the forest land it acquires, and willingness to work with all parties to address the issues in Randle. I hope, that if a solution to the issues of concern to Randle residents is found in time, that such a solution be placed into the Interior bill at conference.

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

PLUM CREEK TIMBER CO.,
Seattle, WA, September 14, 1999.

Hon. PATTY MURRAY,
U.S. Senate,
Washington, DC.

DEAR SENATOR MURRAY: We greatly appreciate your continuing efforts to resolve the issues created by the discovery of marbled murrelets on lands to be acquired by Plum Creek as part of the I–90 Land Exchange. Plum Creek agrees with the legislative language worked out by your office and the U.S. Forest Service to accommodate the new lands package and we are prepared to assist in any way that we can.

We are aware that some opposition has developed over the lands near Randle, Washington, that Plum Creek would receive in the exchange. The opponents have painted a dismal scenario of what Plum Creek might do when the exchange is complete and we want to assure you of the facts.

First, Plum Creek has an excellent reputation of including neighbors and local communities in the planning process. We have not yet developed any specific plans for the Randle area, and will not until we have met with community leaders and heard first-hand their concerns. We are prepared to consider any options that will help to resolve the issues.

Second, our own standards and the strict forest practice rules of the state of Washington require that great care be taken to identify and avoid any areas of geological concern, such as unstable soils and steep slopes. Indeed, after extensive public study and comment, nearly 10,000 acres of U.S. Forest Service land was removed from consideration early in the exchange process for just this reason. The land that remains in the exchange has been thoroughly studied and can, with careful planning, be managed in a thoughtful and appropriate manner.

Third, any Plum Creek operations will be strictly governed by our own Environmental Principles and the standards of the American Forest and Paper Association's Sustainable Forestry Initiative.

Plum Creek is willing to continue to work with local citizens, the U.S. Forest Service, and the Delegation to resolve important issues upon completion of the I–90 Land Exchange. We continue to believe the Exchange is a fair deal for Plum Creek and a great deal for the public.

BILL BROWN.

AMENDMENT NO. 1631

(Purpose: To clarify that a Bureau-funded school may share a campus with a school that offers expanded grades and that is not a Bureau-funded school)

On page 33, line 18, after the period, insert the following: ''Funds made available under this Act may be used to fund a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)) that shares a campus with a school that offers expanded grades and that is not a Bureau-funded school, if the jointly incurred costs of both schools are apportioned between the 2 programs of the schools in such manner as to ensure that the expanded grades are funded solely from funds that are not made available through the Bureau.''.

AMENDMENT NO. 1632

(Purpose: To direct the Secretary of the Interior to convey certain land to Nye County, Nevada, and for other purposes)

At the end of title I, insert the following:

SECTION 1. CONVEYANCE TO NYE COUNTY, NEVADA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means Nye County, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—For no consideration and at no other cost to the County, the Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S. R. 49 E, Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W ½ W ½ NW ¼.

(ii) The portion of the W ½ W ½ SW ¼ north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(b) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E ½ NW ¼.

(B)E ½ W ½ NW ¼.

(C) The portion of the E ½ SW ¼ north of United States Route 95.

(D) The portion of the E ½ W ½ SW ¼ north of United States Route 95.

(E) The portion of the SE ¼ north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in

arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

AMENDMENT NO. 1633

(Purpose: To give the city of Mesquite, Nevada, the right to purchase at fair market value certain parcels of public land in the city)

At the end of title I, insert the following:

SEC. ___. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA.

Section 3 of Public Law 99–548 (100 Stat. 3061; 110 Stat. 3009–202) is amended by adding at the end the following:

''(e) FIFTH AREA.—

''(1) RIGHT TO PURCHASE.—For a period of 12 years after the date of enactment of this Act, the city of Mesquite, Nevada, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 27 north of Interstate Route 15.

''(ii) Sec. 28: NE ¼, S ½ (except the Interstate Route 15 right-of-way).

''(iii) Sec. 29: E ½ NE ¼ SE ¼, SE ¼ SE ¼.

''(iv) The portion of sec. 30 south of Interstate Route 15.

''(v) The portion of sec. 31 south of Interstate Route 15.

''(vi) Sec. 32: NE ¼ NE ¼ (except the Interstate Route 15 right-of-way), the portion of NW ¼ NE ¼ south of Interstate Route 15, and the portion of W ½ south of Interstate Route 15.

''(vii) The portion of sec. 33 north of Interstate Route 15.

''(B) In T. 14 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 5: NW ¼.

''(ii) Sec. 6: N ½.

''(C) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 25 south of Interstate Route 15.

''(ii) The portion of sec. 26 south of Interstate Route 15.

''(iii) The portion of sec. 27 south of Interstate Route 15.

''(iv) Sec. 28: SW ¼ SE ¼.

''(v) Sec. 33: E ½.

''(vi) Sec. 34.

''(vii) Sec. 35.

''(viii) Sec. 36.

''(3) NOTIFICATION.—Not later than 10 years after the date of enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

''(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

''(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

''(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

''(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

''(B) shall be available for use by the Secretary—

''(i) to reimburse costs incurred by the local offices of the Bureau of Land Managment in arranging the land conveyances directed by this Act; and

''(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

''(f) SIXTH AREA.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall convey to the city of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 28 south of Interstate Route 15 (except S ½ SE ¼).

''(ii) The portion of sec. 29 south of Interstate Route 15.

''(iii) The portion of sec. 30 south of Interstate Route 15.

''(iv) The portion of sec. 31 south of Interstate Route 15.

''(v) Sec. 32.

''(vi) Sec. 33: W ½.

''(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 4.

''(ii) Sec. 5.

''(iii) Sec. 6.

''(iv) Sec. 8.

''(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 1.

''(ii) Sec. 12.

''(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.''.

AMENDMENT NO. 1634

At the end of Title III, insert the following:

SEC. . Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));''.

AMENDMENT NO. 1635

(Purpose: To prevent expenditure of funds that may be used to circumvent or contradict existing law and policy regarding the Federal Government's energy efficiency programs)

Insert at the end of Title III the following new section:

''SEC. . None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof, including, but not limited to, the existing statutory mandate that life-cycle cost effective measures be undertaken at federal facilities to save energy and reduce the operational expenditures of the government.''.

Mr. COCHRAN. Mr. President, I support the energy efficiency amendment contained in the package of amendments managed by the chairman of the subcommittee.

This amendment, which I have sponsored along with Senators MURKOWSKI and BINGAMAN, clarifies, with respect to the measurement of energy use by the Federal government, that the directives contained in Presidential Executive Order 13123 cannot circumvent or contradict any relevant statues.

The Appropriations Committee addressed this matter last year, when Senator MURKOWSKI and Senator BYRD worked to clarify the intent of Congress with respect to energy use and energy measurement. As a result of their efforts, the conference report on the Omnibus Appropriations bill included language that has the same effect as the amendment we propose today—that is, the federal government shall obey existing laws, that proposed changes to the law are subject to the jurisdiction of the Senate Committee on Energy and Natural Resources, and that the law cannot be changed by committee report language, executive order or any other mechanism that would circumvent the jurisdiction of the authorizing committee.

Mr. President, this amendment will remedy flaws in the Executive Order, most of which represents a laudable effort to save taxpayer dollars by increasing energy efficiency in federal buildings.

I thank Chairman GORTON, Energy Committee Chairman MURKOWSKI, ranking member BINGAMAN, and their staffs for working to resolve this issue.

AMENDMENT NO. 1636

(Purpose: To authorize the Fish and Wildlife Service to retain and use fees collected for certain damages caused to national wildlife refuge lands in Louisiana and Texas to assess and mitigate or restore the damaged resources, and monitor and study the recovery of such damaged resources)

On page 12, line 12, before the final period, insert the following: '': *Provided further,* That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and through fiscal year 2000, for site-specific damages to National Wildlife Refuge System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to: (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources''.

AMENDMENTS NOS. 1371, 1408, 1587, 1593, 1595, 1600, 1601, 1610, AND 1613

Mr. GORTON. Mr. President, I send a package of numbered amendments to the desk with modifications and ask unanimous consent that these amendments be adopted en bloc. They have been cleared on both sides.

The PRESIDING OFFICER. Without objection, the amendments will be appropriately numbered.

Mr. GORTON. Mr. President, again, the same explanation. These amendments include one from the Senator

from Maine, Ms. COLLINS, with respect to St. Croix Island International Historic Site; one by the Senator from Utah, Mr. HATCH, with respect to Lake Powell; one from Senator MURKOWSKI with respect to inspection fees for imported skins and furs; one from Senators MURKOWSKI, CAMPBELL, INOUYE, and JOHNSON with respect to the Indian Trust Asset and Accounting Management System; one from Senator CAMPBELL with respect to pine beetle eradication; one from Senator BRYAN and Senator REID of Nevada with respect to Grand Canyon overflights; one from Senator BURNS with respect to grizzly bear reintroduction—Senator CRAIG is a cosponsor of Senator BURNS' amendment—one from Senator STEVENS with respect to Haines Borough in Alaska; and one from Senator DURBIN with respect to Shawnee National Forest.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1371

(Purpose: To place a requirement on the use of funds for development of a resource management plan and for timber sales in the Shawnee National Forest, Illinois)

At the end of the bill add the following:

SEC. 3 . SHAWNEE NATIONAL FOREST, ILLINOIS.

None of the funds made available under this Act may be used to—

(1) develop a resource management plan for the Shawnee National Forest, Illinois; or

(2) make a sale of timber for commodity purposes produced on land in the Shawnee National Forest from which the expected cost of making the timber available for sale is greater than the expected revenue to the United States from the sale.

AMENDMENT NO. 1408 AS MODIFIED

(Purpose: To prevent the physical reintroduction of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana in FY2000 and to allow for greater public involvement in the project)

Insert in general provisions, Title III, the following:

None of the funds made available by this Act may be used for the physical relocation of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana.

Mr. CHAFEE. Mr. President, I wish to discuss an amendment originally offered by my colleague from Montana to prohibit the reintroduction of the grizzly bear in the Selway-Bitterroot area of Idaho and Montana. This language is being included in the managers' amendment.

I strongly support reintroduction of the grizzly bears under the Endangered Species Act. Presently in the lower 48 States, there are only 800 to 1000 bears in scattered pockets of habitat in Idaho, Montana and Washington. Large species such as the grizzly are most vulnerable when they are limited to small populations and confined to small portions of habitat. Because grizzlies are not likely to migrate beyond the pockets in which they now exist, they are not likely to find their own way to the Selway-Bitterroot area, even though it is an area they once inhabited. The reintroduction of grizzlies in this area will greatly bolster efforts to recover grizzlies in the lower 48 States.

The current proposal by the Fish and Wildlife Service establishes a Citizen Management Committee to make the primary decisions on reintroduction and management. This committee would consist of 15 members, with 7 chosen by the Governor of Idaho, 5 chosen by the Governor of Montana, one chosen by the Nez Perce Tribe, one chosen by the Chief of the Forest Service and one chosen by the Director of the Fish and Wildlife Service. The committee would have authority to establish specific recovery goals, determine areas for reintroduction, and establish land-use standards.

This proposal has been developed after tremendous public involvement and outreach. Since 1992, with the formation of a citizens' group, local individuals and industries have been involved in the decisions relating to grizzly bear recovery in Idaho and Montana. Preparation of both the draft and final Environmental Impact Statements provided significant opportunity for public comment. In sum, the proposal has been developed with painstaking effort and deliberation.

The result is a coalition of supporters among timber companies, ranchers, and environmental groups. Governor Racicot of Montana has long backed the reintroduction plan. While Governor Kempthorne opposes the plan, he recently stated that he wants Idaho to take a strong leadership role if the reintroduction is going to happen. Numerous newspapers in both states have endorsed the plan.

Nevertheless, there continues to be opposition to the proposal among numerous local citizens, particularly within the Valley in Montana along the eastern border of the Selway-Bitterroot area. I strongly encourage both the Fish and Wildlife Service and Forest Service to continue their outreach and education efforts, and to address the concerns of these citizens.

Mr. President, you may recall that this Chamber has seen fierce opposition to the reintroduction of other species in an effort to recover them under the ESA. Specifically, we have debated reintroductions of the red wolf in North Carolina in 1995 and the gray wolf in Yellowstone in 1996. What has come of those programs? Nothing but tremendous success. Both species are close to full recovery. Both programs resulted in less livestock depredation than originally predicted. Both programs cost less to the Federal taxpayer than originally estimated. Have there been occasional problems with individual wolves? Of course. But each program had provided for such occasions, and problems were addressed efficiently and expeditiously.

With the care and attention that has been poured into the grizzly bear program from not just the Fish and Wildlife Service and the Forest Service, but local citizens, industries, conservation groups and of course the States, I have no doubt that this program will also be a success.

Indeed, I will venture to say that, in hindsight, we will marvel at the ability of Nature to take over the grizzly bear program—as it has with the Yellowstone gray wolves and North Carolina red wolves—and run its own course smoothly, with nothing more than a little encouragement from us. All we need to do is to provide that encouragement.

I do not oppose the amendment adopted today by the managers of the bill, but that is only because it is narrowly limited to a prohibition of funds for physical relocation of bears in the Selway-Bitterroot area. The Service does not intend to relocate bears into the area before FY 2001. The language does not prohibit completion of the EIS and the Record of Decision, publication of a rulemaking under section 10(j) of the ESA, or activities to provide outreach and to set up the citizen's committee. It will not prevent activities in FY 2000 in support of reintroduction, short of physically relocating grizzlies in the area. Because the language does not prohibit what the Service would otherwise do in FY 2000, I do not oppose the language.

I yield the floor.

AMENDMENT NO. 1587 AS MODIFIED

(Purpose: to establish the scientific basis for noise standards applied to the Grand Canyon National Park)

At the end of Title I, add the following new section:

SEC. . No funds appropriated under this Act shall be expended to implement sound thresholds or standards in the Grand Canyon National Park until 90 days after the National Park Service has provided to the Congress a report describing (1) the reasonable scientific basis for such sound thresholds or standard and (2) the peer review process used to validate such sound thresholds or standard.

AMENDMENT NO. 1593

(Purpose: To provide for increased funding of certain programs of the Smithsonian Institution and the Indian Health Service)

At the appropriate place insert the following new section:

SEC. . Notwithstanding any other provision of law, the Secretary of the Interior shall use any funds previously appropriated for the Department of the Interior for Fiscal Year 1998 for acquisition of lands to acquire land from the Borough of Haines, Alaska for subsequent conveyance to settle claims filed against the United States with respect to land in the Borough of Haines prior to January 1, 1999; *Provided further*, That the Secretary of the Interior shall not convey lands acquired pursuant to this section unless and until a signed release of claims is executed.

AMENDMENT NO. 1595, AS MODIFIED

(Purpose: To require the Forest Service to use appropriated or other funds to improve the control or eradication of pine beetles in the Rocky Mountain region of the United States)

At the end of Title III, insert the following:

SEC. . The Forest Service shall use appropriations or other funds available to the Service to—

(1) improve the control or eradication of the pine beetles in the Rocky Mountain region of the United States; and

(2)(A) conduct a study of the causes and effects of, and solutions for, the infestation of pine beetles in the Rocky Mountain region of the United States; and

(B) submit to Congress a report on the results of the study, within 6 months of the date of enactment of this provision.

AMENDMENT NO. 1600, AS MODIFIED

(Purpose: Making contingent funding plans)

At the end of Title I insert the following new section:

None of the funds provided in this Act shall be available to the Department of the Interior to deploy the Trust Asset and Accounting Management System (TAAMS) in any Bureau of Indian Affairs Area Office, with the exception of the Billings Area Office, until 45 days after the Secretary of the Interior certifies in writing to the Committee on Appropriations and the Committee on Indian Affairs that, based on the Secretary's review and analysis, such system meets the TAAMS contract requirements and the needs of the system's customers including the Bureau of Indian Affairs, the Office of Special Trustee for American Indians and affected Indian tribes and individual Indians.

The Secretary shall certify that the following items have been completed in accordance with generally accepted guidelines for system development and acquisition and indicate the source of those guidelines: design and functional requirements; legacy data conversion and use; system acceptance and user acceptance tests; project management functions such as deployment and implementation planning, risk management, quality assurance, configuration management, and independent verification and validation activities. The General Accounting Office shall provide an independent assessment of the Secretary's certification within 15 days of the Secretary's certification.

AMENDMENT NO. 1601, AS MODIFIED

(To assist small exporters of certain animal products)

At the end of Title I of the bill, insert the following:

SEC. . None of the funds appropriated or otherwise made available in this Act or any other provision of law, may be used by any officer, employee, department or agency of the United States to impose or require payment of an inspection fee in connection with the import or export of shipments of furbearing wildlife containing 1000 or fewer raw, crusted, salted or tanned hides or fur skins, or separate parts thereof, including species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora done at Washington, March 3, 1973 (27 UST 1027).

AMENDMENT 1610, AS MODIFIED

(Purpose: To ban the use of public funds for the study of decommissioning the Glen Canyon Dam or the draining of Lake Powell)

At the end of Title I insert the following:

SEC. . No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

AMENDMENT NO. 1613, AS MODIFIED

(Purpose: Expressing the sense of the Senate that the National Park Service should begin planning for the quadricentennial commemoration of the Saint Croix Island International Historic Site)

On page 62, between lines 3 and 4, insert the following:

SEC. 1___. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE.

(a) FINDINGS.—Congress finds that—

(1) in 1604, 1 of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is 1 of only 2 international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

Mr. GORTON. I now move to reconsider the vote by which both of those sets of amendments were adopted, and I move to table my own motion.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1359, 1362, 1367, 1493, 1572 1573, 1575, 1578, 1582, 1590, 1592, 1597, 1606, 1612, 1615, AND 1637 THROUGH 1657

Mr. GORTON. I now send a package of amendments to the desk and ask unanimous consent they be considered and agreed to en bloc and numbered separately. All of these amendments have been agreed to and cleared by both sides.

The PRESIDING OFFICER. Without objection, the amendments will be appropriately numbered.

Mr. GORTON. This last large package includes a Gorton-Levin-DeWine amendment with respect to Great Lakes fish and wildlife restoration and spartina grass research; one by Senator COCHRAN and others with respect to the National Endowment for the Humanities; one by Senator BENNETT and others with respect to the National Endowment for the Arts; one from Senator LIEBERMAN with respect to the Weir Farm National Historic Site; one by Senator ABRAHAM with respect to Isle Royale National Park; one from Senator JEFFORDS with respect to weatherization assistance grants and State energy conservation grants; one by Senators CRAPO and BURNS with respect to cold water fish habitat conservation plans in Idaho and Montana; one from Senator TORRICELLI with respect to Fredericksburg and Spotsylvania National Military Park; one from Senator JOHNSON, Senator BURNS, and others with respect to tribally controlled community colleges; one from Senator SHELBY with respect to a wildlife data system in Alabama; one from Senator INOUYE and others with respect to the Franklin Delano Roosevelt Memorial; one from Senator BINGAMAN with respect to the Youth Conservation Corps; another from Senator BINGAMAN with respect to Indian post-secondary schools and changes to the Federal funding formula; one from Senator KOHL with respect to UK development LLC; one from Senator EDWARDS with respect to Lake Logan, NC; one from Senator ABRAHAM and others with respect to payments in lieu of taxes; one from Senator MURKOWSKI and others with respect to the Land and Water Conservation Fund stateside program; one from Senator STEVENS with respect to the Smithsonian Institution and Indian Health Service; one from Senator LEVIN with respect to the Keweenaw National Historic Park in Michigan; one from Senator COLLINS with respect to the St. Croix Island International Historic Site; one from Senator FEINSTEIN with respect to Forest Service reimbursement; one from Senator BINGAMAN with respect to municipal energy management; one from Senator BYRD with respect o the Wheeling National Heritage Area; one from myself with respect to the Forest Service/Weyerhaeuser Huckleberry land exchange; one from Senator REID of Nevada with respect to the Weber Dam in Nevada and feasibility study for a tribally operated trout fish hatchery on the Walker River; one from Senator STEVENS with respect to timber pipeline supply on the Tongass National Forest; one from Senator LOTT with respect to Civil War battlefields; one from the two Senators from Minnesota respecting a Minnesota science center; one from Senator KERREY of Nebraska with respect to the Boyer Chute National Wildlife Refuge land acquisition; one from Senator BOND with respect to Wilson's Creek National Battlefield; one from Senator HOLLINGS with respect to Fort Sumter National Monument land acquisition; one from Senator ABRAHAM with respect to a Michigan community development database; one from Senator WARNER with respect to sand and gravel; one from Senator

TORRICELLI with respect to UPARR; and a final amendment of my own, a manager's amendment with respect to the setoffs necessary to pay for the other amendments we have adopted or are about to adopt.

The PRESIDING OFFICER. The amendments have been agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1359

On page 79, line 19 of the bill, strike ''under this Act or previous appropriations Acts.'' and insert in lieu thereof the following: ''under this or any other Act.''

AMENDMENT NO. 1362, AS MODIFIED

(Purpose: To provide funding for the acquisition of the Weir Farm National Historic Site in Connecticut, with an offset)

On page 18, line 19, before the period, insert the following: '', and of which not less than $2,000,000 shall be used to acquire the Weir Farm National Historic Site in Connecticut''.

AMENDMENT NO. 1367, AS MODIFIED

(Purpose: To provide funding for facilities maintenance at Isle Royale National Park)

On page 17, line 25, after the colon insert the following: ''*Provided further,* That $1,000,000 shall be made available for Isle Royale National Park to address visitor facility and infrastructure deterioration:''.

AMENDMENT NO. 1493, AS MODIFIED

(Purpose: To provide additional funding for the National Endowment for the Arts)

On page 94, line 7, strike, ''$86,000,000'' and insert ''$90,000,000''.

Mr. REED. Mr. President, I rise in support of the Bennett-Jeffords-Reed amendment. For the past 34 years, the National Endowment for the Arts has served the public good by nurturing the expression of human creativity, supporting the cultivation of community spirit, improving our children's education, and fostering the recognition and appreciation of our nation's artistic accomplishments.

The arts and humanities have an immense positive impact on the lives of all Americans. Children and adolescents in particular benefit tremendously from artistic expression. Studies show again and again that comprehensive arts education programs in schools with at-risk student populations improve academic achievement; student self-assurance; creative and critical thinking skills; attendance; as well as student and parent attitudes about school.

And yet, we as a society have consistently underfunded arts education and community arts programs at the local, state and federal level. In recent years, Congress has exacerbated this situation by dramatically reducing funding to the National Endowment for the Arts.

The NEA has not seen a budget increase in 8 years—not since 1992, when the agency had a budget of $175.9 million. In 1996, the NEA's budget was slashed by 40% to $99 million, and it has remained near that level ever since.

This year, the President requested an increase of $52 million for the NEA, nearly all of which would have been used to pay for a major new initiative called Challenge America. A priority of Challenge America would be to get NEA funds to areas of the country that have not received sufficient funds in the past. Challenge America would focus on outreach projects for education, after-school programs using the arts, historic preservation, and upgrading the arts infrastructure in our communities. In effect, Challenge America would put the arts at the center of family and community life.

Mr. President, by reaching out to new communities and new regions of the country, the Challenge America program would directly address the concerns that members of this body have expressed with regard to the distribution of NEA funds.

Unfortunately, the Interior spending bill before us contains no funding for the Challenge America initiative. The Appropriations Committee's report indicates, however, that the lack of funds for Challenge America ''should not be interpreted as a lack of support by the Committee for the Endowment's proposal.''

The problem, of course, is the budget. The distinguished Interior Subcommittee Chairman and Ranking Member have done an outstanding job to report a bill within the tight allocations provided to them. I commend them for their effort and fully appreciate the constraints within which they operate.

However, I believe we can, and should, find the money to make the Challenge America program a reality and to allow the NEA to do what so many members of this body want it to do. At a time when we are considering an $800 billion tax cut, I think it is not unreasonable to provide a small increase to an agency that has such a meaningful impact in communities across the country. This amendment, which would provide $4 million in additional funding to the NEA in fiscal year 2000, would permit the NEA to get the Challenge America initiative off the ground. Every dime of additional money would be used for project grants—mostly the small, expedited grants that will get funding to previously underserved areas of the country.

Mr. President, the NEA is under new management. Chairman Bill Ivey has worked hard to reform the Endowment's operations and to respond to the concerns expressed by members of Congress in recent years.

It is time we gave the NEA a chance to show that it has changed. Let's give it the opportunity to do what we've asked it to do—to get more grants to new rural and urban areas, to do more in the area of arts education, and to help us rebuild our cities and make them more attractive places for people to live and work.

I urge my colleagues to support this important amendment.

Mr. BENNETT. Mr. President, a number of my colleagues and I have advocated a small increase in funding for the National Endowment for the Arts. I also want to commend Senator COCHRAN's efforts to increase funds for the National for the Humanities. Neither endowment has received a significant increase since their budgets were cut by nearly 40 percent in fiscal 1996. I believe a $4 million increase is warranted given the reforms intended to make the endowments more efficient and more accountable have been implemented and we have seen results.

While a positive story could be told about the National Endowment for the Arts, I believe the real story of the NEA and NEH is a local story. And in my case, a Utah story. In previous years, I have outlined the origins of the strong arts and humanities tradition in Utah. The arts flourished in Utah before Utah was even a state. Utah also had one of the first publicly funded arts councils in America.

Today, I would like to tell two stories of traveling exhibition programs in the arts and humanities. Both benefit rural areas. Both provide communities with opportunities that might not be available otherwise. These types of programs make a strong case for a small federal investment in the arts and humanities.

For the last 35 years, the Utah Arts Council's Traveling Exhibition Program, supported in part by the National Endowment for the Arts, has toured visual arts exhibitions all over Utah. In some areas, particularly in the more rural regions of the state, the exhibition is the only source of visual arts programming. Utah's San Juan county bussed children from surrounding communities to view these exhibitions. Another rural county boasted a 100-percent citizen participation for one of the exhibits.

The Utah Arts Council's Traveling Exhibition Program serves more than 150,000 people in all but two counties of the state each year. Every year the Utah Arts Council receives more than 250 requests for the program, but is only able to satisfy half. Each Traveling Exhibition includes educational materials that emphasize not only the artistic aspects of the exhibits, but also its connections to other aspects of the curriculum.

Denise Hoffman, a librarian at the Green River Library and participant in the program, made this comment:

We are a very small and isolated town in rural Utah. Almost every student in the grade school comes to the library on a weekly basis. A vast majority of our students will never be exposed to the arts. We use the traveling exhibitions as a basis for learning. By making these displays easily affordable, you cannot count the young lives that have been touched, or guided into the arts. Please consider dollar for dollar what we are getting with this program. It is critical to us.

Another program that benefits rural areas is a collaborative project between the Smithsonian Institution Traveling Exhibition Services (SITES)

and state humanities councils. Its goal is to give small rural museums access to Smithsonian resources. What resulted was a small traveling program with Smithsonian type exhibits called ''Museum on Main Street.'' The two projects developed under this program are ''Produce for Victory: Posters on the American Homefront 1941–1945'' and ''Barn Again! Celebrating an American Icon.'' The Utah Humanities Council spearheaded this effort and the following communities have participated in this program: Castle Dale, population 1,704; Vernal, population 6,644; Kanab, population 3,289; Wellsville, population 2,206; Monticello, population 1,806; Delta population 2,998; Ephraim, population 3,363; Heber, population 4,362; and Payson, population 9,510.

Castle Dale, Kanab, Payson, Vernal, and Delta hosted their first Smithsonian exhibit using ''Produce for Victory'' as a basis for the communities to remember what was occurring in America during the years 1941 through 1945. Each community developed local programs including USO dances, ration recipe luncheons, reunions of women who worked in munitions industries (''Rosie the Riveter''), discussions of the 1930s and 1940s movies and newsreels, and exhibitions of local artifacts.

Kanab had activities all year commemorating World War II. Events included a poster exhibit from the Smithsonian, World War II movies from Brigham Young University's film collection, and countless other very personal contributions from many of the town's people who had directly participated in the war or were relatives of those who had.

An immediate result of various groups working together on this project was to make young people aware of those whose lives were directly touched by World War II. Many of the local youth had no idea that they were living next door to people who had first-hand knowledge of this historic event. Grandchildren were talking to grandparents and asking questions about the war. Many teens were surprised to learn that some of those serving in the armed services were no older than their big brothers or themselves. During the celebration, those who had contributed their possessions from that period stood by their displays, ready to describe each artifact.

These types of activities help us remember our history, the individual sacrifices that were made for freedom, how individuals coped with difficult times, and how America emerged stronger. Understanding this legacy through these types of exhibits is a worthwhile pursuit.

The traveling exhibits that I have described today are in keeping with the goal of bringing our historical and cultural heritage to areas that would not otherwise have the opportunity. Much of the criticism of the NEA has been anecdotal and has painted an ugly picture. Utah's story is anything but. The state arts and humanities councils, assisted by the National Endowments, and the Smithsonian, has demonstrated how arts and humanities can be a positive influence in our communities.

Mr. President, I believe a continued federal arts and humanities partnership is worthwhile, and encourage my colleagues to support a small increase.

I would also like to thank Chairman GORTON for his leadership on this bill. He has had to balance several competing priorities and has done an admirable job. I appreciate very much his attention to the details of so many important issues.

Mr. KENNEDY. Mr. President, one of the most important provisions in this bill is its support for the National Endowments for the Arts and Humanities. These agencies provide essential Federal support for cultural activities in communities across America. The arts and humanities are a central part of our democracy, our history and our heritage and they eminently deserve this federal support.

It is important for the federal government to create an environment which supports the arts and humanities in our nation. The Endowments have done an outstanding job in providing this needed support. They have provided assistance to theaters, museums, dance companies, and a wide range of cultural activities in communities and neighborhoods in every state.

The federal role is not an isolated one. It functions in partnership with local and state governments and the private sector. Across the country, mayors have been among the strongest supporters of the arts, because they know that a strong cultural community attracts families and businesses to our cities. Cultural tourism is a growth industry in states throughout the country.

Federal support provides needed assistance to cultural institutions, and it also provides critical support in schools. Today's schools face a broad range of challenges, and a compelling body of research demonstrates a strong correlation between study of the arts and academic achievement. The arts are ''the Fourth R,'' and they deserve to have a significant role in the educational experience of all children.

In 1998, students with course work in music scored 52 points higher on the verbal portion and 36 points higher on the math portion of the SAT. With results like these, it is clear that we should find effective ways to integrate arts education into the classroom curriculum so that music, painting, drama and other arts can enrich the educational experience of all students.

The Endowments have often been the subject of criticism over the last several years. But Congress has imposed reforms that have virtually eliminated controversy over grant awards.

The Arts Endowment has worked hard to improve its operations and to respond to the concerns expressed by members of Congress. Its current chair, Bill Ivey, has proposed a major new initiative, Challenge America, that will emphasize outreach projects for education, including after-school programs involving the arts, historic preservation and measures to develop the arts infrastructure in communities. He has also implemented ''ArtsReach'' which will encourage applications and grants to states that have received few grants in the past.

The Humanities Endowment has undertaken a leadership role to improve teacher training using the Internet and other technologies to ensure that new public programs in the humanities reach classrooms in as many communities as possible.

These agencies are doing all that they can to expand the scope of cultural activities in America. It is essential that we provide them with the resources necessary to carry out their important mission. I support efforts to increase funding for the agencies, so that they can more fully achieve their important goals. As the statute creating the agencies emphasized, the United States cannot afford to limit its efforts to science and technology alone, but should give fair and full support to the other great branches of scholarly and cultural endeavors in our society, in order to achieve a better understanding of the past, a better analysis of the present, and a better vision of the future.

I urge my colleagues to support funding for these agencies, and I hope that at long last we can give them the support that they have earned.

Mr. JEFFORDS. Mr. President, on behalf of myself and Senators BENNETT, CHAFEE, KENNEDY, MOYNIHAN, and REED, I am pleased that the Managers of the bill have agreed to support our proposal for a funding increase for the National Endowment for the Arts and the National Endowment for the Humanities.

First let me commend Senators GORTON and BYRD for starting this discussion out on the right foot. They provided modest increases for the NEA, NEH and IMLS under very difficult circumstances. I applaud the leadership they have shown in recognizing the important role that each of these agencies play in strengthening our nation's cultural institutions and expanding opportunities for participation in cultural activities.

My support for these agencies runs deep because I know that the grants that they make have a positive impact on the state of Vermont and nearly all who live there. The NEA and NEH make it possible for more Vermonters to have access to the arts and humanities in their many different forms and shapes—literature, art history, dance, music, folkarts, history and theater.

In number terms, the positive impact of the arts and the humanities is statistically significant. It can be measured in terms of increased academic

achievement and better outlook on life for those school-aged children that have the opportunity to participate in the arts or humanities experience.

In terms of education, students of the arts outperform their ''non-arts'' peers on the SAT. Even when one takes into consideration the economic status of a family, kids from low-income families that participate in the arts had higher grades in English, were less likely to drop out by grade 10, were less ''bored'' in school, had a higher ''self concept,'' and placed a higher value on volunteerism than their low-income peers with low arts involvement.

The arts have demonstrated effectiveness in making a difference for youth at-risk by decreasing truancy and increasing enthusiasm for learning. Students engaged in the learning process are less likely to get into trouble and the arts have proven themselves are one of our best tools in this effort. The hard data backs up these claims.

In other instances, the positive impact of the arts and humanities can be ''measured'' by a smile that grows on the face of a person listening to the music of the Vermont Symphony at a free summer concert; it can be ''quantified'' by the deeper understanding one gains about storytelling and the New England folk culture thanks to programs sponsored by the Vermont Folklife Center; it can be ''gauged'' by a young person's spirit that soars to new heights from imagining worlds beyond their own while daydreaming at the Fairbanks Museum and Planetarium in St. Johnsbury.

We must recognize and acknowledge the ways in which the arts expand the imagination of young people; broaden their interest in creating; introduce them to other worlds, other people, and other cultures; make learning other subjects generally more ''fun;'' and build their skills of cooperation that they must practice when performing a play, playing in a band, or singing in a choir. The NEA and NEH make these opportunities possible for the people of Vermont. With a little investigation, many of you will find that these agencies are doing the same in your home states.

Because of the consideration shown by the Chairman of this subcommittee, each of the three agencies will be able to extend their grant programs more broadly. With the additional money that we are requesting today, NEA and NEH could further expand their outreach efforts with an eye towards introducing more Americans, many for the first time to the beauty of dance, the spectacle of theater, the enchantment of reading and the magic of the museum.

We have new, visionary leaders at the NEA and NEH. Bill Ivey and Bill Ferris are Chairmen who have their ears to the ground and they are prepared to respond to the cultural needs of the people of this nation, regardless of where they live. They have made it their business to involve the grassroots. They fundamentally understand where congress is coming from both in terms of its support for the agencies and with regard to the criticisms of ''elitism'' and favoritism.

To address concerns, they have focused on grassroots initiatives like: ''Challenge America,''—an effort to target grant dollars to communities that lack a significant arts presence and invest in arts education, preservation of cultural heritage and after school programming for young people-at-risk;

''Our History is America's History''—a program that will encourage all Americans to explore our family's history and stories, enter these stories to the Internet and connect these personal histories to the broad sweep of American and world history; and

''ED-sitement''—a partnership involving the NEH, MCI corporations and others designed to help humanities teachers use the Internet effectively in their teaching.

Each of these programs better connect the local community with its rich and vibrant local history and cultural offerings. They draw upon the rich cultural heritage and traditions of a region and share those treasures and stories widely with our nation's community. I am anxious to support their efforts. It is due to their leadership and the leadership of my own Vermont Arts Council, Vermont Humanities Council and all of Vermont's museums and cultural institutions that I stand with confidence behind these agencies and call for a modest increase in their budgets.

The National Endowment for the Arts and the National Endowment for the Humanities are agencies with small budgets that provide extraordinary service to the people of this nation. I encourage my colleagues to support each of these agencies.

In closing, I would like to applaud the leadership of my colleague from Mississippi, Senator COCHRAN for his unwavering support for the NEH. In addition, I would like to publicly state my support for the Institute for Museum Services and hope that during conference negotiations with the House, we will adopt the highest appropriation possible for that important agency.

Finally, I would like to thank Senator GORTON and Senator BYRD for their leadership on this issue and thank my colleagues for supporting this modest increase for NEA and NEH.

AMENDMENT NO. 1572, AS MODIFIED

(Purpose: To provide funding to carry out the Urban Park and Recreation Recovery Act of 1978, with an offset)

On page 16, line 25, strike ''$49,951,000'' and insert $51,451,000, of which not less than $1,500,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.)''.

AMENDMENT NO. 1573, AS MODIFIED

(Purpose: To provide funding for the Fredericksburg and Spotsylvania National Military Park, with an offset)

On page 18, line 16, strike ''$84,525,000'' and insert ''$87,725,000''.

On page 18, line 19, before the period, insert the following: '', and of which not less than $3,000,000 shall be available for the Fredericksburg and Spotsylvania National Military Park''.

AMENDMENT NO. 1575, AS MODIFIED

(Purpose: To provide funding for tribally controlled colleges and universities)

At the appropriate place in title I, insert the following:

SEC. 1 . (a) In addition to any amounts otherwise made available under this title to carry out the Tribally Controlled College or University Assistance Act of 1978, $1,500,000 is appropriated to carry out such Act for fiscal year 2000.

AMENDMENT NO. 1578 AS MODIFIED

(Purpose: To make funds available to the Secretary of the Interior to develop a pilot wildlife data system for the State of Alabama)

On page 62, between lines 3 and 4, insert the following:

SEC. 1. PILOT WILDLIFE DATA SYSTEM.

From funds made available by this Act to the U.S. Fish and Wildlife Service, the Secretary of the Interior shall use $1,000,000 to develop a pilot wildlife data system to provide statistical data relating to wildlife management and control in the State of Alabama.

AMENDMENT NO. 1582 AS MODIFIED

(Purpose: To provide funding for modifications to the Franklin Delano Roosevelt Memorial, with an offset)

On page 3, line 18, strike ''$287,305,000'' and insert ''$283,805,000''.

On page 17, line 19, strike ''$221,093,000'' and insert ''$227,593,000''.

On page 17, line 22, before the colon, insert the following: '', of which not less than $3,500,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial''.

AMENDMENT NO. 1590, AS MODIFIED

Before the period at the end of the ''Construction'' account of the Bureau of Indian Affairs, insert the following: '': *Provided further*, That in return for a quit claim deed to a school building on the Lac Courte Oreilles Ojibwe Indian Reservation, the Secretary shall pay to U.K. Development, LLC the amount of $375,000 from the funds made available under this heading''.

Mr. KOHL. Mr. President, the amendment I am offering would compensate a company that built a school building for the Lac Courte Oreilles Tribe in my state of Wisconsin. It would also clarify ownership of the building. The educational program of the school, as well as the operation and maintenance funding are provided to the Tribe through a grant from the Bureau of Indian Affairs.

When a number of classrooms were condemned, the BIA provided a grant to the school to lease temporary space while the classrooms were replaced. Rather than lease space, the Tribe entered into a lease/purchase agreement with a contractor for construction of an 8,400 square foot building. When the

Bureau learned that the Tribe had not used the initial grant payment to lease space, they declined to provide additional money to the tribe for this project since the BIA was, at the same time, providing about $2 million for the tribe to replace the condemned classrooms. All of this and more is detailed in an audit report issued by Interior's Inspector General last March.

It is my understanding that this amendment will have no impact on construction projects which are to begin in fiscal year 2000. To that end, I would urge the chairman to call on BIA to identify before conference any potential negative impact associated with this amendment.

AMENDMENT NO. 1592, AS MODIFIED

(Purpose: To provide funds for the Forest Service to acquire lands at Lake Logan, NC)

On page 65, line 18, strike ''$37,170,000'' and insert ''$38,170,000''.

AMENDMENT NO. 1597

(Purpose: To provide an additional $4,000,000 for the National Endowment for the Humanities)

On page 95, line 5, strike ''$97,550,000'' and insert ''$101,000,000''.

On page 95, line 13, strike ''$14,150,000'' and insert ''$14,700,000''.

On page 95, line 14, strike ''$10,150,000'' and insert ''$10,700,000''.

AMENDMENT NO. 1606, AS MODIFIED

(Purpose: To provide funding for the acquisition of new properties in Kenweenaw National Historic Park, Michigan, with an offset)

On page 18, line 19, before the period, insert the following: '', and of which not less than $1,700,000 shall be available for the acquisition of properties in Keweenaw National Historical Park, Michigan''.

AMENDMENT NO. 1612, AS MODIFIED

(Purpose: To make funds available for planning and development of interpretive sites for the quadricentennial commemoration of the Saint Croix Island International Historic site, with an offset)

On page 17, line 22, insert the following before the colon: ''and of which $90,000 shall be available for planning and development of interpretive sites for the quadricentennial commemoration of the Saint Croix Island International Historic Site, Maine including possible interpretive sites in Calais, Maine''.

Ms. COLLINS. Mr. President, I rise in support of two amendments I have filed in connection with the Interior appropriations bill for fiscal year 2000.

My amendments, which are cosponsored by Senator SNOWE, are expected to be accepted as part of the managers' package, which the chairman of the subcommittee will be sending to the desk shortly.

I want to take this opportunity to thank the subcommittee chairman, Senator GORTON, and the ranking minority member, Senator BYRD, for their assistance and support of my proposals.

The amendments I am proposing will provide funding and National Park Service support for projects of great historical and international significant to my State and our country. Yet probably only a few of our colleagues have ever heard of St. Croix Island, nestled in the St. Croix River that separates Maine from Canada, or this island's place in the history of the United States and Canada and in the hearts of North Americans of French descent.

We have all probably heard of the Pilgrims' landing at Plymouth Rock in 1620, or the English colonial settlement at Jamestown in 1607, but few know the story of an even older settlement, dating back to 1604, when French nobleman Pierre Dugua Sieur de Mons, accompanied by a courageous group of adventurers that included Samuel Champlain, landed on St. Croix Island and quickly set about to construct a settlement. They cleared the island, planted crops, dug a well, and built houses, fortifications, public buildings, and gun emplacements. In the process, they were aided by Native peoples who made temporary camps on the island and assisted in various ways. At the same time, Samuel Champlain undertook a number of reconnaissance missions from the island. On one, he found and named Mount Desert Island, now the home to Acadia National Park.

By October, the settlement was ready. But the Maine winter was more than the seventy-nine settlers had bargained for. By winter's end, nearly half had died and many others were seriously ill.

The spring brought relief from the harsh weather. Sieur de Mons relocated his colony to Port Royal in what is now Nova Scotia and, in 1608, Champlain and a company of men founded Quebec.

According to the National Park Service, the French settlement on St. Croix Island in 1604 and 1605 was the first and ''most ambitious attempt of its time to establish an enduring French presence in the 'New World.' '' Many view the expedition that settled on St. Croix Island in 1604 as the beginning of the Acadian culture in North America. This rich and diverse culture spread across the continent, from Canada to Louisiana, where French-speaking Acadians came to be known as ''Cajuns.''

The rich history and cultural significance of the 1604 settlement at St. Croix Island are beyond question. Yet, with only four years remaining before the 400th anniversary of the settlement, there is still much to prepare for a proper and appropriate commemoration of this historical event.

Let me try to put the occasion in perspective. For the 300th anniversary of the settlement, U.S., British, and French naval ships, flagged out for the occasion, steamed up the St. Croix River and anchored off the historic island. Speakers at the ceremony honoring the anniversary included the consul general of France and the famous U.S. general and Maine patriot, Joshua Chamberlain.

Several thousand people attended the celebration.

In 1996, the U.S. National Park Service and Parks Canada agreed to ''conduct joint strategic planning for the international commemoration [of the St. Croix Island], with a special focus on the 400th anniversary of settlement in 2004.'' For its part, Parks Canada constructed an exhibit in New Brunswick overlooking St. Croix Island. The exhibit uses Champlain's first-hand accounts, period images, updated research, and custom artwork to tell the compelling story of the settlement.

The National Park Service, on the other hand, has plans to expand a small, existing site located just south of Calais, Maine. The Park Service plan envisions a modest, but appropriate outdoor exhibit overlooking St. Croix Island and exhibits in an indoor visitor center, preferably located in nearby Calais. These plans are intended to commemorate in an appropriate way one of only two international historic sites in the U.S. national park system and, as far as they go, the plans are a welcome first step. The next steps have yet to be taken and time is growing short. That is why I offered two amendments to this appropriations bill.

The first amendment makes $90,000 available in FY 2000 to finish pre-construction planning for and begin development of the outdoor site at Red Beach and to plan for the possible location of interpretive exhibits in Calais, Maine. Currently, no money is scheduled to be appropriated for the Red Beach site until FY 2002, and National Park Service officials in Maine and in the Northeast Regional Office agree with me that the funding schedule provides for too little too late. This money is needed now in order to ensure that the project is completed in time for the 400th anniversary celebration.

My second amendment asks the National Park Service to work with the people of Calais to make an indoor visitors center—known as the ''Downeast Heritage Center—a reality. The people of Calais and surrounding areas have worked tirelessly to move the project towards completion. They need the assistance of the National Park Service—which already has endorsed the concept—but which now must help with planning and financial assistance to bring the project from a dream to reality. My amendment asks and directs the Park Service to work with the people of Calais on this project and to ensure that appropriate exhibits are completed in time for the 400th anniversary celebration.

I further request that the Park Service include in its fiscal year 2001 budget submission funds for both the Red Beach site and the Downeast Heritage Center in downtown Calais.

My amendments seeks only a small commitment of funds that are designed to commemorate a 1604 settlement of enormous historical significance.

I again want to thank Senator GORTON and Senator BYRD for their assistance in helping our country prepare for a terrific 400th anniversary celebration of the early French settlement at St. Croix Island.

I yield the floor.

AMENDMENT NO. 1615, AS MODIFIED

On page 76, between lines 18 and 19, insert the following:

''The Forest Service is authorized through the Forest Service existing budget to reimburse Harry Fray for the cost of his home, $143,406 (1997 dollars) destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.''

AMENDMENT NO. 1637

(Purpose: To provide funds to the U.S. Fish and Wildlife Service Resource Management account for grants under the Great Lakes Fish and Wildlife Restoration Program and for spartina grass research)

On page 10, line 15, strike ''$683,519,000'' and insert ''$684,019,000''.

On page 10, line 16, after ''herein,'' insert the following: ''of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $300,000 shall be available for spartina grass research being conducted by the University of Washington, and''.

AMENDMENT NO. 1638

(Purpose: To increase funding for weatherization assistance grants and state energy conservation grants, with an offset)

On page 78, line 16, strike ''$682,817,000'' and insert ''$684,817,000''.

On page 78, line 19, strike ''$166,000,000'' and insert ''$168,000,000''.

On page 78, line 24, strike ''$133,000,000'' and insert ''$135,000,000''.

AMENDMENT NO. 1639

(Purpose: To set aside funding for development of a habitat conservation plan for cold water fish in the States of Idaho and Montana)

On page 10, line 16, after ''herein,'' insert ''of which $500,000 of the amount available for consultation shall be available for development of a voluntary-enrollment habitat conservation plan for cold water fish in cooperation with the States of Idaho and Montana (of which $250,000 shall be made available to each of the States of Idaho and Montana), and''.

Mr. BAUCUS. Mr. President, I rise to support the amendment proposed by Senator CRAPO, along with myself, Senator BURNS, and Senator CRAIG, to provide funding for the development of a habitat conservation plan for the recovery of the bull trout and other cold water fish in Montana and Idaho.

By way of background, the bull trout favors cold, high-mountain streams with lots of cover. Some are resident, remaining in the same tributary all year round. Most, however, are migratory, heading upstream spawn in the spring, when the water starts to get warm.

Historically, bull trout were found throughout the Northwest, from California to the Yukon Territory. Today, they are found primarily in Idaho and Montana. The Montana population is located in the Clark Fork River and in Lake Kookanusa, above the Libby Dam.

There are many reasons for the decline in the bull trout population, including timber harvesting, road building, farming and grazing, and dam construction. Ironically, efforts to help recover various salmon species in the lower part of the Columbia River system may actually have harmed the bull trout in the upper part of the system, by reducing water levels in the upper reservoirs.

In any event, in 1998, the Fish and Wildlife Service listed the bull trout as a threatened species under the Endangered Species Act.

For years, the State of Montana has been working hard to recover the bull trout. This work has intensified since the listing. For example, last year, Montana spent $568,000 on recovery efforts: things like improving stream channels, stabilizing stream banks, fencing, monitoring, educating anglers, and preventing poaching. But, to get the job done, we need to do more. And we need more help from the Fish and Wildlife Service.

The amendment that we are offering today takes an important additional step. It sets aside $500,000, from the Fish and Wildlife Service budget, to help the states of Montana and Idaho develop a voluntary habitat conservation plan for the bull trout and other cold water fish, including the westslope cutthroat trout, for which a listing petition has been filed.

The idea of the HCP is to provide guidance, to small landowners, particularly owners of woodlots, farms, and ranches. For example, the HCP might set standards re-channelizing streams. Or for timber harvesting and road building to prevent sedimentation. Compliance will be completely voluntary, but landowners who follow the guidance will know that they are in full compliance with the Endangered Species Act.

This can encourage the kind of voluntary, cooperative efforts that can go a long way towards recovering the bull trout. Let me give you an example. A few years ago, I spent the day at the Foote Ranch, along the Blackfoot River, in Ovando, in Northwest Montana. Geoff Foote and others were restoring Bull Trout habitat. Years ago, a stream had been straightened. This had the indirect effect of reducing the amount of mud that gathered along the sides of the stream, where bull trout spawn. So Geoff and others were re-channelizing the stream.

We cut logs, hauled them by horse, and placed the logs and large rocks so that the stream would meander and, by doing so, provide better bull spawning habitat.

It was a cooperative effort, involving folks from the Fish and Wildlife Service, the Montana Department of Fish, Wildlife, and Parks, local farmers and ranchers, and members of local environmental organizations. Our amendment will encourage further efforts, along these same lines.

The amendment does not modify the substantive provisions of the Endangered Species Act in any way. Nor does it implicate any of the controversies surrounding the standards for HCPs.

But it does provide funding to help Montana and Idaho continue their work to recover the bull trout. That's important, in it's own right.

Moreover, it will help our State highway programs. The listing of the bull trout has caused concern about the potential effect on highway construction. By providing clear guidance, the HCP should go a long way to ensuring that the bull trout and our highway programs both can thrive.

I commend the sponsor of the amendment, Senator CRAPO, the Chairman of the Fisheries, Wildlife, and Drinking Water Subcommittee of the Environment and Public Works Committee, for his leadership on this issue. I also commend the other members of the delegation, Senators BURNS and CRAIG. I look forward to working further with them, Governors Racicot and Kempthorne, and Fish and Wildlife Service Director Clark to help recover the bull trout in Montana and Idaho in a reasonable, responsible way.

AMENDMENT NO. 1640

(Purpose: To increase funding for Post Secondary Schools funded by the Bureau of Indian Affairs, and for other purposes)

On page 27, line 22, strike ''$1,631,996,000'' and insert ''$1,632,596,000''.

On page 29, line 10, after ''2002'' insert '': *Provided further,* That from amounts appropriated under this heading $5,422,000 shall be made available to the Southwestern Indian Polytechnic Institute and that from amounts appropriated under this heading $8,611,000 shall be made available to Haskell Indian Nations University''.

On page 62, between lines 3 and 4, insert the following:

SEC. _____. BIA POST SECONDARY SCHOOLS FUNDING FORMULA.

(a) IN GENERAL.—Any funds appropriated for Bureau of Indian Affairs Operations for Central Office Operations for Post Secondary Schools for any fiscal year that exceed the amount appropriated for the schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Post Secondary Funding Formula adopted by the Office of Indian Education Programs and the schools on May 13, 1999.

(b) APPLICABILITY.—This section shall apply for fiscal year 2000 and each succeeding fiscal year.

AMENDMENT NO. 1641

(Purpose: To direct the Secretary of Agriculture and the Secretary of the Interior to increase the number of youth employed during the summer to accomplish conservation projects)

At the appropriate place, insert the following new section:

SEC. . YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS.

(a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, in order to increase the number of summer jobs available for youth, ages 15 through 22, on Federal lands:

(3) $4,000,000 of the funds available to the Forest Service under this Act; and

(4) *** of the funds available to the Bureau of Land Management under this Act.

(b) Within six months after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior

shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following:

(i) the number of youth, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corp, the Public Land Corps, or a related partnership with a State, local, or nonprofit youth conservation corps or other entity such as the Student Conservation Association;

(ii) a description of the different types of work accomplished by youth during the summer of 1999;

(iii) identification of an problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(iv) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(v) and analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

AMENDMENT NO. 1642

(Purpose: To increase funding for payments in lieu of taxes, with offsets)

On page 5, line 13, strike ''$130,000,000,'' and insert ''$135,000,000''.

AMENDMENT NO. 1643

Purpose: To provide funds for the land and water conservation fund stateside program, with offsets.

On page 18, line 19, strike ''program.'' and insert ''program, and in addition $20,000,000 shall be available to provide financial assistance to States and shall be derived from the Land and Water Conservation Fund.

Mr. MURKOWSKI. Mr. President, I rise today to offer an amendment with Senator LAUTENBERG and 25 other Senators to provide $20 million for the stateside Land and Water Conservation Fund or LWCF matching grant program.

Too often we forget that—in addition to a National Park System—we have national system of parks which includes tens of thousands of State and local parks. More than 37,000 of these State and local parks and recreation facilities have received a stateside LWCF matching grant, but there is a problem. The stateside LWCF program has been shut down because Congress hasn't funded it. Yet O.C.S. revenues currently are at $4 billion.

Over 30 years ago, in a bipartisan effort, Congress created the Land and Water Conservation Fund. The LWCF is funded with Federal revenues from off-shore oil and gas leasing which now exceed $4 billion a year. LWCF money can be used for two purposes:

(1) Acquisition of land by the four Federal land management agencies; and (2) matching grants to State and local governments for recreation facilities, parks, playgrounds, and campgrounds. The LWCF Act envisions a balance: between the Federal and State and local parks; between the needs of rural and urban populations; and between easterners and westerners.

Mr. President, I now want to refer to a ''LWCF Authorization/Appropriation'' chart. As this chart shows, the balance has been lost. FY1995 was the last year the LWCF stateside matching grant program was funded. In that year, over $600 million was requested and only $25 million was appropriated. Despite the past successes and growing demand, Washington pulled the rug out from under the stateside program. Four years ago, Congress and the administration zeroed out the stateside program. That was a serious mistake. Washington was being penny-wise and pound foolish. The promise to Americans set forth in the LWCF Act was broken.

When the offshore oil leasing program began, a portion of the receipts were pledged to recreation and conservation of America's great outdoors. I see no reason not to meet that pledge. I see many reasons to keep it. As the chart shows, 2 years ago was a record year for the Land and Water Conservation Fund when over $900 million was appropriated. Out of the total, the Senate appropriated $100 million for the stateside matching grant program.

Unfortunately, the good work of the Senate went for naught. This money was lost in conference. None of this money went to the stateside grant program. Every appropriated dollar went to Federal land acquisition and maintenance of Federal land.

This year the mistake of closing down this program is being recognized. The administration requested $150 million for a State land conservation grants program and $50 million for open space planning grants to States and local governments as part of their Lands Legacy proposal. As Chairman of the Senate Energy and Natural Resources Committee, I had to oppose the administration's proposal because these programs are not authorized by the LWCF Act.

The President's Land Legacy proposal sought to fundamentally restructure the stateside matching grant program authorized by the LWCF Act. The LWCF stateside program is a formula grant program which provides monies to State and local communities for the planning, acquisition, and development of parks and recreation facilities. The President proposed to replace this program with a competitive grant program to the States for the purchase of land and open space planning. This proposal would have changed the focus of the stateside program and undercut the federalism inherent in the existing program.

Nonetheless, I was encouraged that the President, after 4 years, recognized the importance of sharing LWCF moneys with State and local governments. More progress in restoring stateside was made last month when the House appropriated $30 million for the program.

With this amendment, the Senate is doing its part. With tough budget targets, it was not easy to find $20 million in such a lean bill; however, we were able to find offsets from a variety of programs. These are difficult choices, but well worth it.

I wish we could have provided more money for this important program. However, it is a start. I will do all I can do to ensure that in conference the Senate recede to the House and provide $30 million for the stateside matching grant program. I also will continue to seek permanent funding for this program so that we do not have to fight this annual appropriations battle.

Our system of government works best when all levels of government work together with the private sector to pursue shared goals. Few goals are as worthy as recreation for families and communities. Recreation is not a child's play. It is more than a hobby. It is a necessary component of our lives. It boosts the economy. It helps build stronger families and communities. And it encourages conservation efforts and helps preserve open space.

So why deny communities matching funds for recreation from proceeds of our offshore leasing program? I support offshore leasing and the use of some proceeds for stateside LWCF matching grants to State and local governments.

This amendment gives us a good reason to focus on the value of recreation to our lives and how we can do a better job encouraging people of all ages to enjoy America's natural splendor. Trips to national parks are remembered for a lifetime, but most day-to-day recreation takes place close to home and demand for local recreation resources is high and increasing. We must restore the LWCF stateside program; it is a good investment. This amendment is a start.

Mr. LAUTENBERG. Mr. President, I rise today in support of the amendment to the Interior Appropriations bill that I am offering with my colleague from Alaska, Mr. MURKOWSKI.

I would like to thank our broad range of bipartisan cosponsors: Senators BOXER, CHAFEE, DODD, ROTH, SESSIONS, FEINGOLD, KERRY of Massachusetts, LEAHY, LANDRIEU, LINCOLN, FRIST, GRAHAM, COLLINS, SMITH of New Hampshire, GREGG, MOYNIHAN, WARNER, BAYH, MCCAIN, AKAKA, FEINSTEIN, JEFFORDS, and HAGEL.

Mr. President, this amendment would restore funds to a program that has helped protect open space in every State in the Nation through the State grants section of the Land and Water Conservation Fund. This amendment restores $20 million in fiscal year 2000 for these matching grants to States.

This ''Stateside'' program can be used to fund a variety of public open space efforts, including State and county parks, State forests, boating and swimming areas, and a variety of other recreational sites.

Mr. President, the House of Representatives saw fit to include the program at $30 million in its Interior Appropriations bill.

We hope to come to their level in conference after our initial funding at $20 million.

Over the past 30 years, through the stateside program, over $3 billion has been provided to the States, and through them, to local governments, on a matching basis, to preserve approximately 37,000 park and recreation areas.

Mr. President, the decision to fund open space programs through the Land and Water Conservation Fund is one of the wisest investments we can make. Open spaces are more than just undeveloped land. We all know that protecting open spaces can guard sensitive drinking water supplies and preserve wildlife habitat.

Open spaces are also a lasting legacy we pass on to our children and grandchildren.

But there is another equally important benefit of open spaces.

In my State of New Jersey—the most densely populated State in the Nation—open spaces provide working families of limited means a place to enjoy the outdoors at little or no cost. A day at the beach or a picnic in the park or a hike in the woods is a day well spent.

Mr. President, open space is extremely valuable in my State. In a poll last year by Quinnipiac College published in the Newark Star-Ledger, 70 percent of New Jersey residents said that preserving open space and farmland is more important than commercial growth and development in rural areas.

Mr. President, it is extremely gratifying when members of both parties can join together in support of a program that has provided untold benefits for millions of Americans. I want to thank Senator MURKOWSKI and my other colleagues who support this amendment. I ask all of my colleagues to join us to preserve open space for America's families.

Mr. CHAFEE. Mr. President, I am extremely pleased to cosponsor the bipartisan amendment, offered by my colleague from Alaska, regarding the Land and Water Conservation Fund. The amendment provides $20 million for matching grants to States under the Land and Water Conservation Fund, which, for almost 30 years, had enabled small communities throughout the Nation to establish local parks, build sports fields, acquire green ways and trails, and support community gardens.

The stateside program under the LWCF is a worthwhile conservation program that for too long has been without any funding at all. It has received nothing since 1995, and States have been strapped to find money for their own conservation efforts without any Federal assistance. As pressures for development and sprawl increase in many parts of the Nation, it is more important than ever to help States protect the open and green spaces that are crucial for a healthy community.

And with the recent ballot initiatives to promote conservation that have been approved by voters across the Nation, States now have money available to match Federal dollars through the stateside program. It is now up to Congress to make the Federal money available. For those who criticize the program as a form of pork, let me stress that States must put up 50 percent of the money for their projects. This is not a hand-out. This is a fiscally sound program that makes land and water conservation for thousands of small communities around the country a national priority.

The stateside program has been supported by mayors, county officials, governors, civic associations, outdoor recreation groups, land conservancy groups, conservation groups—the list goes on and on.

I add myself to that list as a strong proponent of the LWCF, including the stateside program. The Federal Government, in my opinion, plays a vital role in assisting State and local governments establish local parks and protect open and green space. Indeed, when I was Governor of Rhode Island, I started the Green Acres Program in 1964 for this purpose, and the Federal Government matched some of the money to help get the program going.

Earlier this year, Senator LEAHY and I circulated a letter to our fellow Senators, asking them to support full funding for the LWCF. Thirty-six of our colleagues in the Senate endorsed that letter and signed it. What a tremendous showing of bipartisan support!

I am very pleased that the managers of the bill have agreed to this amendment.

Mrs. BOXER. Mr. President, I am pleased to join the Senator from Alaska, Mr. MURKOWSKI, and the Senator from New Jersey, Mr. LAUTENBERG, in offering this important bipartisan amendment to provide much needed funding for the stateside program of the Land and Water Conservation Fund.

Additional co-sponsors include Senators CHAFEE, ROTH, DODD, LANDRIEU, SESSIONS, FEINGOLD, LINCOLN, LEAHY, FRIST, KERRY, GRAHAM, COLLINS, SMITH of New Hampshire, GREGG, MOYNIHAN, WARNER, BAYH, MCCAIN, AKAKA, FEINSTEIN, JEFFORDS, and HAGEL.

The stateside program has, once again (since fiscal year 1995) been zeroed-out. Our amendment provides $20 million for this popular program.

As the 21st century approaches, we must renew our commitment to our natural heritage. That commitment must go beyond a piecemeal approach. It must be a comprehensive, long-term strategy to ensure that when our children's children enter the 22d century, they can herald our actions today, as we revere those of President Roosevelt.

And preservation in the 21st century goes beyond protection of such wonders as Yosemite and Yellowstone. It must include an urban park in East Los Angeles where children can play basketball, a farm in Tulare County that can continue to grow oranges or a historic building in Orange County that can be restored.

Today, our natural heritage is disappearing at an alarming rate. Each year, nearly 3 million acres of farmland and more than 170,000 acres of wetlands disappear. Each day, over 7,000 acres of open space are lost forever.

Across America, parks are closing, recreational facilities deteriorating, open spaces vanishing, historic structures crumbling.

Why is this happening? Because there is no dedicated funding source for all these noble purposes—a source which can be used only for these noble purposes.

I have offered a comprehensive bill—Resources 2000—that provides the most sweeping commitment to protecting America's natural heritage in more than 30 years. It will establish a dedicated funding source for resource protection.

But until such legislation is enacted, we must do what we can to fund these important programs now. This amendment does just that.

This amendment will provide $20 million for the stateside portion of the Land and Water Conservation Fund.

This is an important amendment for the future of our local communities, our quality of life, the recreational opportunities of our families and the preservation of our important lands.

The Land and Water Conservation Fund is a fund that was developed out of a bargain between the development of the offshore oil and the preservation of nonrenewable assets in our communities and throughout our Nation.

Since 1965, we have appropriated some $3 billion to local governments, States and local governments, to help them protect and conserve these assets. States and local governments have matched that with an additional $3 billion. That match tells us the kind of priority that our local communities place upon this program.

Unfortunately, in 1995 it all stopped and Congress failed to appropriate money for the program. One of the most successful programs that we have at the Federal level stopped. Since that time, if had provided the money that this program was truly entitled to, there would have been an additional $2.5 billion that would have then been matched by another $2.5 billion in nonfederal dollars. That would be $5 billion going toward improving quality of life and protecting and conserving natural resources based upon the priorities of those local communities.

Mr. President, every state across the Nation benefits from this program. I have here a book put together by the National Recreation and Park Association listing hundreds of projects in every state that are in dire need of this funding.

In my State of California, we have used stateside funding to team up with local sponsors to purchase areas of

Redwoods State Park, the Santa Monica Mountains, Lake Tahoe and San Deguito Park. But there is still more that needs to be done.

One project that I requested funding for this year is the Urban Nature Center and Sanctuary in Ernest Debs Park in Los Angeles. This Park would provide nature experiences for some of the city's most underserved children and their families.

The National Audubon Society in cooperation with the City of Los Angeles, is developing a model Urban Nature Center in Ernest Debs Regional Park in Northeast Los Angeles. This surprisingly natural, 195-acre site, run by the City's Recreation and Parks Department, is five miles northeast of downtown Los Angeles. It rises above some of the city's densest urban neighborhoods, yet is home to more than 80 species of birds and other wildlife. Within two miles of the park, there are more than 30,000 children, mostly Latino, attending school for whom the park and the nature center could be a giant outdoor classroom.

The Nature Center is an exciting opportunity to bring together Audubon's traditional sources of support for conservation education with city, state and federal funds for parks, trails and habitat restoration. For its part in this innovative public/private partnership, the City of Los Angeles will dedicate $1 million in existing County bond funds for habitat enhancement. The Audubon Society is dedicated to raising $4 million in private contributions. I requested $1 million for the federal contribution for this project, but nothing was provided.

Mr. President, this is the kind-of thing we are always pushing for—federal/non-federal, public/private collaboration on important projects. And while others are contributing their share, the federal government is doing nothing. This must change.

Mr. President, this amendment is a small step toward fulfilling our commitment to the Land and Water Conservation Fund. I urge my colleagues to support this amendment.

AMENDMENT NO. 1644

(Purpose: To provide for increased funding of certain programs of the Smithsonian Institution and the Indian Health Service, with an offset for National Park Service)

S. 1292 is amended by the following:

On page 17, line 19, strike ''$221,093,000'' and insert in lieu thereof ''$216,153,000''.

On page 82, line 13, strike ''$2,135,561,000'' and insert in lieu thereof ''$2,138,001,000''.

On page 90, line 3, strike ''$364,562,000'' and insert in lieu thereof ''$367,062,000.''

AMENDMENT NO. 1645

On page 78, line 17, insert after the comma ''of which $1.6 million shall be for grants to municipal governments for cost-shared research projects in buildings, municipal processes, transportation and sustainable urban energy systems, and''.

AMENDMENT NO. 1646

(Purpose: To provide funding for Wheeling National Heritage Area)

On page 17, line 22, strike ''$4,000,000'' and insert ''$5,000,000''.

AMENDMENT NO. 1647

(Purpose: Provide funding for an environmental impact statement to be prepared by the Forest Service, as mandated by the 9th Circuit Court of Appeals)

On page 63, line 6, strike the period and insert in lieu thereof the following: '': *Provided*, That of the amount provided under this heading, $750,000 shall be used for a supplemental environmental impact statement for the Forest Service/Weyerhaeuser Huckleberry land exchange, which shall be completed by September 30, 2000.''

AMENDMENT NO. 1648

(Purpose: To strike section 129 in its entirety and replace with language that directs a review of possible alternatives to the Weber Dam on the Walker River Paiute Reservation in Nevada without requiring completion of an Environmental Impact Statement. The new language directs $200,000 to complete the review. This amendment retains the $125,000 for an analysis of the feasibility of establishing a Tribally operated Lahontan Cutthroat trout fish hatchery on the Walker River within the Reservation, but identifies a different source for funding. $175,000 of the funds appropriated in this amendment shall be made available through a corresponding reduction in Bureau of Land Management Wildland Fire Management Account. $150,000 of the funds appropriated in this amendment shall be made available through a corresponding reduction in the Water Resources Investigations Program of the U.S. Geological Service. Within this program, $250,000 was directed for hydrologic monitoring to support implementation of the Truckee River Water Quality Settlement Agreement (Senate Report 106–99, page 43), and $150,000 was directed to complete an endocrine disruption study in the Las Vegas Wash (Senate Report 106–99, page 43). This amendment would reduce the Truckee River item by $100,000 and the Las Vegas Wash endocrine disruption study by $50,000)

Starting on page 60, line 20 and continuing through page 62, line 3, strike SEC. 129 in its entirety and insert:

''SEC. 129. WALKER RIVER BASIN.—$200,000 is appropriated to the U.S. Fish and Wildlife Service in FY 2000 to be used through a contract or memorandum of understanding with the Bureau of Reclamation, for: (1) the investigation of alternatives, and if appropriate, the implementation of one or more of the alternatives, to the modification of Weber Dam on the Walker River Paiute Reservation in Nevada; (2) an evaluation of the feasibility and effectiveness of the installation of a fish ladder at Weber Dam; and (3) an evaluation of opportunities for Lahontan Cutthroat Trout restoration in the Walker River Basin. $125,000 is appropriated to the Bureau of Indian Affairs in Fiscal Year 2000 for the benefit of the Walker River Paiute Tribe, in recognition of the negative effects on the Tribe associated with delay in modification of Weber Dam, for an analysis of the feasibility of establishing a Tribally-operated Lahontan cutthroat trout hatchery on the Walker River as it flows through the Walker River Indian Reservation: *Provided*, That for the purposes of this section: (i) $100,000 shall be transferred from the $250,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Truckee River Water Quality Settlement Agreement; (ii) $50,000 shall be transferred from the $150,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Las Vegas Wash endocrine disruption study; and (iii) $175,000 shall be transferred from the funds allocated for the Bureau of Land Management, Wildland Fire Management.''

AMENDMENT NO. 1649

(Purpose: To provide funds for timber pipeline supply on the Tongass National Forest)

On page 76, line 12 of the bill, insert the following before the paragraph beginning with the word ''Of'': ''From any unobligated balances available at the start of fiscal year 2000, the amount of $11,550,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a three year timber supply.''

AMENDMENT NO. 1650

(Purpose: To set aside funding for a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail)

On page 17, line 22, insert before the colon the following: '', and of which not less than $1,000,000 shall be available, subject to an Act of authorization, to conduct a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail, and''.

AMENDMENT NO. 1651

At the end of Title I, insert the following:

SEC. . Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–14, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696, U.S.C., 460zz.

AMENDMENT NO. 1652

On page 13, line 9, after the word ''expended'' include: ''of which not to exceed $1,000,000 shall be available to the Boyer Chute National Wildlife Refuge for land acquisition.''

On page 13, line 8, strike ''$55,244,000'' and insert ''56,244,000''.

AMENDMENT NO. 1653

On page 17, line 22 insert before the colon the following: '', of which $500,000 shall be available for the Wilson's Creek National Battlefield,''.

AMENDMENT NO. 1654

On page 18, line 19 before the period insert the following: ''and of which $200,000 shall be available for the acquisition of lands at Fort Sumter National Monument''.

AMENDMENT NO. 1655

On page 10, line 16, after ''herein,'' insert ''of which $150,000 shall be available to Michigan State University toward creation of a community development database, and''.

AMENDMENT NO. 1656

On page 24, at the end of line 10 insert the following before the colon: ''*Provided further*, That not to exceed $198,000 shall be available to carry out the requirements of Section 215(b)(2) of the Water Resources Development Act of 1999''.

AMENDMENT NO. 1657

At the end of Title III of the bill, add the following:

''SEC. . Each amount of budget authority for the fiscal year ending September 30, 2000,

provided in this Act for payments not required by law, is hereby reduced by .34 percent: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.''

AMENDMENT NO. 1359

Mr. GORTON. Mr. President, finally, I ask unanimous consent that the pending technical amendment No. 1359 be adopted and the motion to reconsider be laid upon the table.

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

The amendment (No. 1359) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote on the last set of collective amendments, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PRESERVATION OF FOSSILS COLLECTED FROM PUBLIC LANDS

Mr. DASCHLE. Mr. President, last year I worked closely with my colleagues Senator BYRD and Senator GORTON to place language in the report accompanying the Fiscal Year 1999 Department of Interior appropriations bill directing the Secretary to report to Congress on the need for a uniform federal policy guiding the collection of fossils from public lands. This was an important step that was long overdue.

Public lands such as those administered by the Forest Service, Bureau of Land Management and other agencies are some of our nation's finest repositories of fossils. By studying fossils, paleontologists learn information that is vital to understanding the Earth and the history of life on this planet. Unfortunately, the variety of policies used by federal agencies to guide the collection of fossils from these lands are confusing to the public, do not ensure that scientists have a full opportunity to study valuable specimens, and do not ensure that fossils are adequately preserved for the future. I believe it is time that we developed such a policy and implemented measures to maximize access to and preservation of important fossil specimens.

I am very pleased that the Department has undertaken a serious review of this issue and is consulting with all stakeholders to ensure that it provides Congress with the best information and recommendations possible. It is my hope that this report will be completed expeditiously so that we can work with the administration on any follow-up measures that may be required.

In the meantime, it is my hope that the administration will move forward with one important way that it can immediately make fossils more readily available to the public. New information technology has given us the ability to send vast amounts of data anywhere in the world almost instantaneously. I believe the administration should begin immediately to explore ways to utilize this capability to make data about critical fossils available to scientists worldwide. For example, the South Dakota School of Mines and Technology has the capability to use CT scans to create high-resolution, three-dimensional images of a fossil and its internal structure that can be accessed by scientists over the next generation Internet. I strongly urge the administration to fund initiatives of this type in its fiscal year 2001 budget, and to move forward as quickly as possible with steps that can improve public access to these fossils.

Mr. GORTON. I agree with the Senator from South Dakota that it is important that the Secretary complete this study expeditiously and explore ways to use information technology to maximize the ability of paleontologists to study scientifically significant fossils.

Mr. BYRD. I also agree with the Minority Leader. The Department of the Interior should provide the results of its analysis to Congress quickly and support funding for initiatives that will use new technology to make important scientific data available.

PILOT PROGRAM FOR TRIBAL PRIORITY ALLOCATION IN THE BIA

Mr. DOMENICI. Mr. President, the Tribal Priority Allocation (TPA) Program of the Bureau of Indian Affairs (BIA) has been an issue of controversy for several years. For next year, the Senate Interior appropriations bill provides $693 million for TPA. This money is used by local tribal governments to operate a wide range of programs like public safety, resources management, education, economic development, and human services.

Many tribes are not able to relate TPA funds to their own tribal needs with any specificity. As a result, the BIA simply does not know, and is not able to relate TPA spending to actual tribal needs. We are not saying that tribes misuse these funds. We are saying that there is precious little information about how TPA funds are directed toward tribal needs as determined by the tribes themselves.

Mr. GORTON. Mr. President, I concur with this observation about the poor BIA oversight and management of locally operated TPA programs. The BIA has not been able to tell the Senate just how these funds are spend by tribal governments. Other than broad categories, the tribes themselves do not have to report how these funds are meeting trial needs and goals. There are so many eligible uses for these funds that tribes do not report TPA spending to the BIA with any specificity. In public safety, for example, TPA funds can be spend for police cars. Natural resource funds can be spent on growing blue corn or improving a fish hatchery.

The BIA has little information about how tribal goals are being met with TPA funds, and TPA funds make up almost half of the entire BIA operations budget for Indian programs. Any effort to help us clarify the precise use of TPA funds will be a major step forward in accountability for both tribes and the BIA. I welcome a pilot effort to move toward that goal.

Mr. DOMENICI. Mr. President, Chairman GORTON and I have both discussed the TPA accountability issue with Kevin Gover, the Assistant Secretary for Indian Affairs at the BIA. Mr. Gover has recommended a pilot project at Eight Northern Pueblos Agency in New Mexico. The purpose of this pilot program would be to demonstrate the ability of tribes to assess their own needs and then develop TPA budgets that allow the BIA to track just how TPA funds are being used to achieve specific results for tribes.

Mr. GORTON. I was glad to see this pilot program recommended in the TPA report I have recently received from the BIA. We required this report in last year's appropriations bill. I have also noted that Nambe Pueblo has gone through a long process of local meetings to catalog their needs and organize their plans for using TPA funds. They have persevered in developing a model needs based budget process.

Mr. DOMENICI. Yes, Mr. Chairman, Nambe Pueblo leaders have broken new ground in developing budgets to meet their own needs. Nambe Pueblo is a small pueblo with 633 members. It is located about 20 miles north of Santa Fe. Their Governor, David Perez, and Councilman Tony Vigil and many others at Nambe have spent hours, days, and nights developing a very thorough description of their precise needs. They have worked closely with Eight Northern Indian Pueblos (ENIP) Executive Director Bernie Teba and ENIP Chairman Walter Dasheno, who is also Governor of Santa Clara Pueblo, to document their needs in several key categories.

In the area of Land Resources, for example, Nambe Pueblo has identified a solid waste disposal system, flood and erosion control needs, and an agricultural land recovery plan. For community services, they have identified youth services and senior citizen services. Their facility needs have been catalogued, and their economic and tourism plans have been laid out.

Mr. GORTON. This sounds like a very thorough effort. I would like to join Senator DOMENICI in commending the Nambe Pueblo for their hard work in developing a needs data base system that will enable them to track the use of TPA funds.

Mr. DOMENICI. When Assistant Secretary Gover first presented this idea to me a few months ago, he told me that ENIP had developed a solid approach for accountability that should be tried as a pilot for other tribes to emulate. Some of the other members of ENIP are anxious to try this approach to becoming more accountable to their tribal members, the BIA, and the Congress. It is a lot of work, but there is also a lot of benefit to be able to map out a complete picture of tribal needs and resources.

With Assistant Secretary Gover's continuing enthusiasm and support, I

am confident that a new beginning for accountability in TPA funding will actually be born at Nambe Pueblo. We will count on him to implement this ENIP pilot from existing TPA funds. We believe we have given him enough authority in this bill and other legislation to implement this accountability pilot program, and we look forward to its early success.

Mr. GORTON. Mr. President, like Senator DOMENICI, I look forward to a better future in accountability for TPA funds. This program is critical for tribes and they should also be able to measure their own progress against local needs as suggested by the Nambe Pueblo plan. I support this recommendation for a TPA accountability pilot program from existing TPA funds and I look forward to some positive results.

Mr. DOMENICI. I thank the Chairman of the Interior Appropriations Subcommittee for his extraordinary efforts to bring fairness and accountability to the BIA's TPA Program. It is the single largest expenditure in the BIA, followed by school operations. I believe tribes will benefit from the fruits of this pilot, and the Congress will be better able to justify TPA expenditures. We will have better knowledge of just how TPA funds help tribes to meet their own local needs and goals.

ALTERNATE FUELS RESEARCH

Mr. MURKOWSKI. Mr. President, I understand that my colleague from Alaska wants to comment with me on Department of Energy funding for alternate fuels research.

Mr. STEVENS. I do.

Mr. MURKOWSKI. Mr. President, as the chairman of the Committee on Appropriations knows, the Environmental Protection Agency and the country have been constantly seeking cleaner-burning diesel fuel. In fact, the administration has already announced new, stricter emissions standards for heavy vehicles as an incentive to move to other technologies. Would the Senator agree that the answer to this issue lies partly in the engine design, but more importantly in the type of fuel we burn?

Mr. STEVENS. Yes, I agree with the Chairman of the Committee on Energy and Natural Resources. The Department of Energy has been investigating alternate fuels that would improve air emissions but not require a new infrastructure or delivery system such as would be required in the use of compressed natural gas. One possibility is Gas-to-Liquids or GTL. The GTL process takes natural gas and converts it to a liquid fuel that has the characteristics of diesel fuel, only without sulfur, which interferes with the catalysts that clean up emissions.

Mr. MURKOWSKI. Natural gas is nearly everywhere in the United States and does not need to be imported. We have somewhere between 30 to 60 trillion cubic feet of natural gas in Alaska, which could replace a significant amount of the diesel fuel market, if the GTL process can be proved to be viable.

I have been interested in securing funding a private-public partnership to study GTL's performance as fuel. The study will report on the following: (1) How important fuel characteristics affect the performance and emissions of different diesel engines; (2) Experimental performance of diesel engines burning fuels like GTL fuels; (3) Engine design modifications which enhance performance using such fuels; and (4) Chemistry of GTL production. I would ask if the subcommittee chairman is aware of the premise that GTL technology has in producing a cleaner burning fuel?

Mr. GORTON. I am aware. ARCO, which is well known in Alaska, recently constructed and started a 70 barrel per day Gas-to-Liquids plant in Blaine, Washington, near Bellingham. ARCO did this with its own money and that of Syntroleum. With industry support like that we should encourage these developments. Pacific Northwest Lab is also heavily involved in diesel engine development because it is the most efficient internal combustion engine. Unfortunately, we had numerous constraints on the Interior appropriations this year.

Mr. STEVENS. Perhaps my colleagues agree that we should try to work with the Department of Energy on organizing a more pronounced effort there to support research on cleaner diesel from natural gas.

Mr. MURKOWSKI. I hope we can join together to work with the Department of Energy to find some funds within the Department to support this effort.

Mr. GORTON. I will be pleased to work with my colleagues from Alaska.

LAKE POWELL

Mr. HATCH. Mr. President, recently a handful of environmentalists have called for the draining of Lake Powell and the decommissioning of the Glen Canyon Dam. As the second largest man-made lake in the country, Lake Powell provides critically important water storage for the states of the Colorado River basin—the driest region in the United States. As many of my colleagues from both sides of the aisle already know, Mr. President, draining Lake Powell is unsupportable. This amendment puts this issue to rest once and for all. This legislation simply prohibits the federal government from taking any action to drain Lake Powell or to decommission the Glen Canyon Dam without Congressional approval.

Mr. GORTON. Mr. President, I wish to say to my good friend from Utah that I agree that draining Lake Powell is not a reasonable proposal, and I support his effort to put the issue to rest with this amendment. However, I would like to ask my colleague from Utah if he believes that his amendment in any way opens the door to the administration to pursue the decommissioning of other Bureau of Reclamation projects without Congressional approval?

Mr. HATCH. Mr. President, I appreciate the support of the chairman of the Interior Appropriations Subcommittee in this matter which is of great concern to my constituents. Mr. President, this amendment in no way gives assent to the Secretary of the Interior or any other government official to decommission other water projects without Congressional approval. Any effort by the administration to decommission a Bureau of Reclamation project without the approval of Congress or of those most affected by the action, in my view, would be unsupportable.

REGARDING THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Mr. MOYNIHAN. Mr. President, I want to commend the chairman for the excellent job he has done under difficult circumstances in providing funding for our cultural agencies—the National Endowments for the Arts (NEA) and the Humanities (NEH), and the Institute of Museum and Library Servvices (IMLS).

Mr. GORTON. In Committee on the Senate side, we were able to boost funding for the Institute of Museum and Library Services by $500,000, from its fiscal year 1999 level of $23.405 million, to $23.905 million for fiscal year 2000. And now we have adopted the Cochran and Bennett amendments as part of the managers' amendment to boost funding for the NEH and NEA by $4.000 million each.

Mr. MOYNIHAN. I was pleased to cosponsor those amendments. I think we have done well by those two agencies. Now, as I understand it, the House of Representatives appropriated $24.400 million for IMLS.

Mr. GORTON. Initially—that amount was subject to a 0.48 percent across-the-board reduction; consequently, the House-passed funding level is $24.282 million, or $377,000 more than what the Senate Committee on Appropriations reported.

Mr. MOYNIHAN. As the chairman knows, several of us—Senators WARNER, BENNETT, COCHRAN, JEFFORDS, REED, and KENNEDY, among others—support the House-passed funding level for IMLS, and contemplated offering an amendment here on the floor to achieve it.

Mr. GORTON. I say to my friend from New York that I am aware of the strong support for the IMLS here in the Senate. Rest assured that I will give every consideration to providing additional support for the IMLS when we go to conference on the bill.

Mr. MOYNIHAN. This is wonderful news indeed. The Institute of Museum and Library Services provides essential support to our nation's 8,000 non-Federal museums and, through a different appropriation, 120,000 libraries. It goes about its business quietly and professionally, with scant attention paid here, but the thriving condition of our museums provides ample evidence of its competence and importance.

I think, perhaps, we have turned the corner on Federal support for the arts

and humanities, for culture. The chairman deserves much of the credit and an enormous debt of gratitude for his unwavering support for the NEA, NEH, and IMLS and for steadily shepherding their appropriations during these past few, difficult years.

FEDERAL MUSEUM COLLECTIONS AT THE UTAH MUSEUM OF NATURAL HISTORY

Mr. BENNETT. Mr. President, I want to raise an issue that was recently brought to my attention in Utah. It is a long-term project that I intend to undertake and I hope that the committee will support me in this effort.

The Utah Museum of Natural History contains collections of more than one million objects and specimens in the fields of geology, biology and anthropology. It ranks as one of the largest and most comprehensive collections for the western states. Overall, more than 75 percent of the museum's collections are federally owned; that is, recovered from federally managed public lands. Of the remaining 25 percent of the collections, a significant portion was collected on state lands under federally mandated permitting procedures. The museum is a repository for collections from BLM, Forest Service, Park Service and Bureau of Reclamation lands. Additional specimens have been collected from Department of Defense lands as well.

There are numerous authorities defining the legal relationship between the federal agencies and museums and research universities such as the Smithsonian's Organic Act passed in 1879, the Antiquities Act of 1906, NEPA and most recently, the National Archaeological Graves Protection and Reburial Act of 1990. The large number of federal collections in the museum is the consequence of the high percentage of federally owned lands in Utah. Utah ranks second among all states in percentage of federal lands; thus, field research in the natural sciences in Utah largely takes place on federal lands.

Unfortunately, the current facilities at the Utah Museum of Natural History used to house the federal collections are inadequate. Lack of space, materials, supplies and personnel have created a situation where the collections are in jeopardy of being permanently lost. This is not in anyway caused by the neglect of the museum staff, but it is simply a lack of space and funding to adequately store all of the collections properly.

I became interested when this situation was brought to my attention a few months ago. Since that time, my staff have been looking into various options to help remedy the situation. In the meantime, the museum has done a tremendous job putting together a master plan, organizing partners and seeking private donations to relocate the museums. But they are limited in their ability to raise funds without some federal participation and commitment. And with that in mind, I want to seek the chairman's input on that question. Does the chairman believe that the federal agencies such as the BLM, Forest Service and the National Park Service have a legitimate role in helping remedy this situation?

MR. GORTON. The Senator raises a good point. Obviously there is a federal interest in protecting these collections. While I cannot commit to providing funding for this project in the future, I will work closely with my colleague from Utah. Until that time, however, I think it would be quite appropriate for the various agencies to lend their resources and expertise by participating the partnership that has been created. I would encourage them to do so.

MR. BENNETT. I thank the chairman and I look forward to working with him.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Mr. WARNER. Mr. President, will the Senator from Washington care to enter into a colloquy regarding museums funding?

Mr. GORTON. I thank the Senator from Virginia and will be happy to engage in a colloquy.

Mr. WARNER. I understand the need to adequately address arts funding and commend the Chairman's leadership in securing $500,000 above last year's appropriations for our nation's museums and libraries. However, this is still $500,000 short of the House funding level to continue the great work done by the Institute of Museum and Library Services (IMLS).

As the Chairman knows, federal funds play an important role in assuring that Americans have access to excellent museum services. 8,000 museums and 120,000 libraries throughout the country have benefited from Congressional support of IMLS.

IMLS programs affect a broad segment of Americans and not an elite few. It helps small, rural museums gain access to resources such as database technology development by the larger museums. IMLS improves public accessibility of museums, while allowing local communities to decide on the content and programs of their own museums.

Additional funding will allow IMLS to provide technological improvements, making museum and library collections available online and accessible to learners of all ages.

I ask you to urge the Senate conferees to recede to the House position on IMLS funding and support a relatively modest $500,000 increase in the IMLS budget so museums and libraries across the country will be able to extend their educational services, expand teacher training, preserve our cultural heritage for our posterity and increase access to valuable resources for America's children.

Mr. GORTON. I thank the Senator from Virginia and I will be pleased to recommend that the conferees consider your thoughtful request to recede to the House proposal, which increases funding for the IMLS by an amount of $500,000 above the Senate level. I appreciate the Senator from Virginia's support for the work of the IMLS and hope that our final allocation is such that we are able to provide additional funding for museum programs of the IMLS.

Mr. WARNER. I thank the Senator from Washington.

FUNDING FOR MARK TWAIN HOUSE

Mr. LIEBERMAN. Mr. President, I rise to express my regret that the Interior Appropriations bill under consideration here includes no money for the Save America's Treasury Campaign. I would like to describe one of the many important projects that will go unrealized for lack of funding. This valuable project is the preservation of the Mark Twain House in Hartford, Connecticut, and construction of a complementary education and visitor center near the house.

Mark Twain wrote seven major books, including ''Tom Sawyer'' and the ''Adventures of Huckleberry Finn,'' while living with his family in the house, which he built in 1874. It is projected that the visitor's center would help double—to a total of 100,000—the annual number of visitors to Mark Twain House and contribute an estimated 12 million dollars every year to the Connecticut economy.

If money does come available for the Save America's Treasures Campaign, would you agree that the Mark Twain House should be high on the priority list?

Mr. GORTON. Yes. Mark Twain is a historical and cultural icon of great importance. Mark Twain's written works represent an American literature legacy and I know that this project is of great importance to Connecticut and to America.

Mr. LIEBERMAN. I thank Senator GORTON. I appreciate his hard work on this important legislation.

GLACIER BAY NP VISITOR FACILITIES FUNDING

Mr. MURKOWSKI. Mr. President, I wonder if the Subcommittee chairman would be willing to discuss with myself and the senior senator from Alaska, the Chairman of the full committee on Appropriations certain issues regarding the Glacier Bay National Park Visitor Facility.

Mr. GORTON. Yes, I will join the Appropriations Chairman and the Chairman of the Committee on Energy and Natural Resources.

Mr. MURKOWSKI. Mr. President, I thank my good friend. Being a member of the Committee on Energy and Natural Resources the subcommittee chairman is well aware of Glacier Bay National Park. He is aware of it this year for some of the controversy that has been caused by the Park Service's attempts to prohibit commercial and subsistence fishing within the bounds of the park.

However, there is an area that the local community, the Park Service, and the Alaska Congressional Delegation do want to work together on in the park—a new visitor facility. Glacier Bay National Park is one of Alaska's treasures. More than 350,000 visitors come to the park each year. Currently, there is no single place for them

to go to learn about the park resources, native inhabitants, and spectacular beauty. The local native corporation has proposed a shared cost effort with the Park Service to build such a facility. Is the subcommittee chairman aware of this?

Mr. GORTON. I am aware of these efforts and would encourage the National Park Service to work closely with the native corporation to further develop this proposal in light of the fact that they use private dollars to maximize public resources. Visitor centers are becoming a very expensive item in the Interior budget. This approach should set an example for future facilities of this type.

Mr. MURKOWSKI. Currently there is not a specific line item appropriation in the bill before us, H.R. 2466, for this project. However, it would be my hope that in conference the senior senator from Alaska and the Subcommittee Chairman could work to find the dollars for design and construction needed to make this visitor center a reality.

Mr. STEVENS. I say to my colleague from Alaska that I will work with him to try and find the funds needed for this project. It is a god project for the community and a worthwhile one for the government. I have been a Glacier Bay on numerous occasions and am supportive of increased visitor facilities. As I understand it no authorization is needed for this as the Secretary has existing authority under section 1307 of the Alaska National Interest Lands Conservation Act.

Mr. MURKOWSKI. The Senator is correct. Authorization does exist to do this.

Mr. GORTON. I will be pleased to continue to work with my colleagues on this project. I note that the Subcommittee has made a significant effort in this bill to provide for visitor facilities in Alaska, but agree that additional facilities at Glacier Bay National Park are needed.

UTAH SPECIFIC ISSUES

Mr. BENNETT. Mr. President, I would like to briefly raise four issues with the Chairman for clarification. Utah is in the process of creating a GIS database on public lands. Is it the Chairman's understanding that the $300,000 of federal funds appropriated through the BLM Realty and Ownership management will be combined with the funds appropriated by the State of Utah and then distributed to the rural counties by the special committee created by the State Legislature?

Mr. GORTON. The Senator is correct. However, the rural counties should also seek the expertise of Utah State University and the State of Utah and rely on their personnel to complete this mapping project.

Mr. BENNETT. I thank the Chairman. With regards to the Olympic Tree program funded under the Community and Urban Forestry account, given the nature of Olympic partners and the reliance upon in-kind donations, is it the Committee's position that the local match may also include in-kind donations such as land, labor and materials?

Mr. GORTON. The Senator is correct.

Mr. BENNETT. With regards to the proposed final management plan for the Grand Staircase Escalante National Monument, is it the Chairman's understanding that the State of Utah's authority over wildlife management and wildlife damage prevention within the monument shall remain unchanged?

Mr. GORTON. The Senator is correct. The Committee would be concerned should the language of the final management plan diminish the ability of the State of Utah to manage wildlife damage prevention within the Monument. If this is the case, I would hope BLM would consult with the State of Utah during the Governor's Consistency Review to amend that language to prevent any potential conflict that might occur.

Mr. BENNETT. Again, I thank the Chairman. I have one final question regarding the Desert Tortoise Recovery program. There is a proposal by the U.S. Fish and Wildlife Service to create a new position of a tortoise recovery coordinator that reports out of the Reno Nevada office. This is of concern to me. As the Chairman knows, Washington County has made tremendous progress toward completing a Habitat Conservation Plan and recovery program. They have put together an effective, balanced team and compared to other recovery units, Washington County and its key partners including the State of Utah, BLM and State Parks have accomplished a great deal over the last five years. All of this was accomplished without a tortoise coordinator to oversee the project.

There are a couple of issues I believe should be addressed prior to the creation of proposed coordinator position. Issues such as determining which office would make section 7 evaluations regarding tortoises in Washington County—Salt Lake City or Reno? I would also like to know how the creation of such a position will impact funding and how do we insure that state and local communities are not adversely impacted. In order to preserve the good working relationship among the parties in Utah, I would hope the Chairman would support me in this position until these questions are answered.

Mr. GORTON. The Senator raises a good point. I am aware of the progress which has been made to date and I congratulate the Advisory Board on their efforts. I share the Senator's concerns about the creation of such a position. It is unclear to me how a single coordinator position from outside the Region would specifically help Washington County and BLM administer the HCP and improve things on the ground.

Mr. BENNETT. I thank the Chairman for his support.

BIOCATALYTIC DESULFURIZATION TECHNOLOGIES

Mrs. HUTCHISON. Mr. President, I would like to clarify the intent of one provision within the bill. As we all are aware the Environmental Protection Agency is proposing to reduce the levels of sulfur in gasoline and diesel fuel. I note that the bill before us recognizes this new proposal and urges the Department of Energy to continue research on biocatalytic desulfurization technologies to assist the refining industry in meeting these new requirements. Was it the Committee's intent that the Department continue to support the ongoing gasoline biodesulfurization project in the Industries of the Future program in an effort to ensure that the technology is available to the refining industry to meet the new EPA rules?

Mr. GORTON. That was the intent of the Committee. This research is very promising and I thank you for bringing this point to our attention.

ARCHIE CARR NATIONAL WILDLIFE REFUGE

Mr. GRAHAM. Mr. President, I ask the distinguished chairman of the subcommittee if he would consent to discuss with Senator MACK and me one of Florida's national wildlife refuges, the Archie Carr National Wildlife Refuge in Brevard County, Florida.

Mr. GORTON. I am pleased to join my colleague from Florida in a colloquy.

Mr. GRAHAM. The Archie Carr National Wildlife Refuge is located in Brevard County, Florida, home of Florida's ''Space Coast.'' The 900-acre refuge extends along the coast from Melbourne Beach to Wabasso Beach, and it is home to the most important nesting area for loggerhead sea turtles in the western hemisphere and the second most important nesting beach in the world. Twenty-five percent of all loggerhead sea turtle and 35% of all green sea turtle nests in the United States occur in this twenty mile zone.

Mr. MACK. The Refuge currently coexists with Florida's Space Coast. However, sea turtle nesting at this site is sensitive to impacts from development and human activity. To mitigate these impacts, the U.S. Fish and Wildlife Service coordinates with the local and state governments regarding joint management of beaches, index nesting beach surveys, public education programs, and appropriate public use facilities.

Mr. GRAHAM. It is my experience that in this type of situation, the best answer is land acquisition. Right now, approximately half of the 900-acres of the designated refuge is available for acquisition. Four key parcels make up the core area of the potential acquisition.

I recognize the extreme funding pressures that the subcommittee faced while determining its Land and Water Conservation Fund priorities. We feel that the Archie Carr Refuge is a key priority for Florida given its criticality to the loggerhead sea turtle population.

We request your consideration of this project during the conference with the House on the Interior Appropriations bill.

Mr. GORTON. I appreciate the Senators' comments. The Committee shares your view that the protection of the loggerhead sea turtle is critical, and we will consider the needs of the Archie Carr National Wildlife Refuge during our conference with the House.

SEA TURTLE CONSERVATION

Mr. BREAUX. Mr. President, will the distinguished Chairman of the Interior Appropriations Subcommittee yield for a question?

Mr. GORTON. Mr. President, I will gladly yield to a question from my good friend from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished Chairman. I commend the gentleman from Washington and the distinguished ranking member Mr. BYRD for the great leadership they have demonstrated in crafting the FY2000 Interior Appropriations bill. Of great personal interest to me is a Kemp's Ridley sea turtle project that is, in part, funded through the U.S. Fish and Wildlife Service. This project is a twenty-year-old on-going success story in the recovery of a high endangered species. Since 1978, the United States Fish and Wildlife Service, USFWS, has spearheaded the sea turtle conservation work at Rancho Nuevo, Mexico. This collaborative conservation project with the Mexican government and the U.S. shrimp industry through the National Fisheries Institute protects Kemp's Ridley sea turtle nests an females from predation and other hazards, and ensures that young turtles make it into the sea. This project is the longest standing collaborative conservation project between the United States and Mexico without a formal treaty. This year, despite the demonstrable success of the project, the Fish and Wildlife Service did not dedicated funds to the Kemp's Ridley sea turtle project. I am extremely concerned and want to express my strong support for continued funding for this valuable conservation effort.

Mr. GORTON. It is clear from my friend's statement that he knows much about the sea turtle conservation project, and I share his enthusiasm for these important efforts to protect the Kemp's Ridley sea turtle. While I am keenly aware of the fiscal constraints on the Fish and Wildlife Service, I encourage the Service to consider providing whatever support it can within these existing budget constraints.

Mr. BYRD. I agree with my colleagues from Washington and Louisiana. The Fish and Wildlife Service should make every effort to support this project in order to uphold a scientifically justified success in endangered species management

Mr. BREAUX. I thank my colleagues.

ADVANCED DEVELOPMENT PROJECT POWDER RIVER COAL INITIATIVE

Mr. ENZI. Mr. President, I thank my colleague for addressing the potential benefits that could come from a new coal enhancement procedure being developed in my home state of Wyoming that would provide a unique economic development opportunity for the Crow nation and its surrounding rural communications in Montana and Wyoming.

This project, known as the advanced development project Powder River coal initiative, is designed to develop a training program for the Crow nation that will create future employment opportunities for members of the tribe by utilizing a new technology that permanently removes the moisture from the Powder River Basin's low grade sub-bituminous coal. It is important that we must continue to develop programs like this advanced development project to further the twin goals of environmental protection and economic stability.

Mr. GORTON. Mr. President, I appreciate the comments of my colleague from Wyoming and agree there is a serious need to bolster the economy within the Crown nation. Further development of the tribe's vast coal reserves would go a long way toward improving the tribes current situation. I would like to assure my colleague that I will continue to work with him and with my colleague from the South Dakota to explore projects like the advanced development project Powder River coal initiative to see if we can't find a way to help the Crow nation develop its vital coal resources.

MARI SANDOZ CULTURAL CENTER

Mr. KERREY. I rise today with my good friend and colleague, Senator HAGEL, to talk about a very important and worthwhile project, the Mari Sandoz High Plains Heritage Center in Chadron, Nebraska.

Mari Sandoz was a world-renowned and internationally-acclaimed writer, born and raised in the Nebraska Sand Hills. Drawing on her childhood experiences and her research at the Nebraska State Historical Society, Sandoz wrote passionately and poetically about life on the Great Plains. Her works dealt with the early fur traders, the Plains Indians, the cattlemen and ranchers, the immigrant homesteaders, and the persecution of the Northern Cheyenne and Ogallala Sioux. Through her writing, Sandoz played an important role in the cultural preservation of the Western Nebraska of the 1800s and early 1900s. Preserving her works and her legacy is a way of preserving our own cultural heritage.

Mr. HAGEL. I join my friend, the senior Senator from Nebraska, in supporting a federal appropriation for the Mari Sandoz Cultural Center.

Nebraska has produced a number of this nation's most significant writers. The John Neihardt Center in Bancroft and the Willa Cather Center in Red Cloud commemorate two of Nebraska's most famous literary figures. A facility dedicated to Mari Sandoz would be an appropriate addition on to the state's literary heritage.

Following Mari Sandoz's death, Chadron State College came into possession of her writing and personal artifacts. The College developed the idea of the cultural center as the best way to preserve her legacy. Plans for the center include museum display areas for American Indians and Sandoz family artifacts, rooms for meetings and workshops on Sandoz' work, archives for Sandoz' manuscripts, and an herbarium that will complement the descriptions of regional flora central to Sandoz' literature. The center would be a perfect tribute to one of Nebraska's finest writers.

Mr. KERREY. I agree that the construction of the Center is an important commemoration of Sandoz' contributions to Nebraska. Earlier this year, I requested that $450,000 be appropriated from available funds in the National Park Service's Historic Preservation Fund or the Save America's Treasures to fund the Mari Sandoz Cultural Center. These dollars will help renovate, rehabilitate, and equip the former library facility on the Chadron State campus.

Mr. HAGEL. It is my understanding that these federal dollars will be in addition to the private dollars raised by Chadron State College and the Mari Sandoz Heritage Society.

Mr. KERREY. Yes, both organizations have been working diligently to raise $900,000 in private funding for the construction and equipment of the new Center. I am hopeful that we will be able to provide additional Federal dollars for this historically and culturally significant Center.

Mr. HAGEL. We both realize that budget restraints are tight this year. But I am hopeful that Chairman GORTON and Ranking Minority Member BYRD will find a way to fully fund this project when the conference committee meets on the Interior appropriations bill later this fall.

Mr. WELLSTONE. Mr. President, issues surrounding natural resource management present some of the most contentious and difficult problems we as policymakers face. Trying to ensure that our federal forestry policy is responsible and environmentally sustainable has been especially difficult, and we have sometimes fallen woefully short in this area. We can and must do much better. I have seen the awful results of clear-cutting, uncontrolled erosion, and other abuses by the logging industry, and I believe we must bring those abuses to an end now.

Even so, our national forests are tremendous resources for a variety of uses, including everything from timber harvesting to recreation. My state of Minnesota depends on these resources for jobs and family incomes; wood, industrial materials, paper and pulp; and family vacations and recreation. Above all, we must protect our national forests to ensure that these resources will be available for future generations. For these reasons, I have long supported carefully controlled, environmentally sustainable multiple use of our national forests.

I share many of my colleague Senator BRYAN's legitimate concerns about the future health of our nation's

forests, and about the abuses that have been allowed in certain regions under the Forest Service's timber sales program—especially in essential areas of biodiversity such as the Pacific Northwest. I recognize that these environmentally harmful forest management practices have serious long-term consequences for the health of our forests, and that they must be stopped.

The Timber Sale Management Program is in need of significant reform in many regions of our nation. I believe that my record shows clearly my support for reforming the program to ensure a more responsible and environmentally sustainable forestry effort. But this amendment would reduce by approximately $32 million current funding levels for the program, and it could create some special problems in my state, where the Forest Service has generally been quite responsible in its timber sale efforts.

In my state of Minnesota, on July 4, 1999, we experienced a huge, once-in-a-thousand-year wind and rain storm that damaged and destroyed homes, businesses, public facilities, and wilderness areas in our national forests. Approximately 300,000 acres in seven counties were hit by the storm, which damaged as much as 70 percent of the trees in certain areas and washed out numerous roads. The damage caused by this storm has severely hindered the U.S. Forest Service's ability to responsibly manage the Chippewa and Superior National Forests. While I have worked successfully with my colleagues in the Minnesota delegation to ensure that approximately $12 million in emergency funding is reprogrammed from elsewhere in the Forest Service budget to support timber salvage efforts in Minnesota, it is clear that much is yet to be done, and that it is going to take many years to dig out from under the storm and to restore the forest to its former state.

As I've observed, the Forest Service in Minnesota has a long tradition of generally responsible and publicly accountable forest management practices. I believe, especially as the post-storm clean-up there proceeds over the coming months and years, that the Forest Service must have adequate resources to deal with the storm's devastation. This amendment would cut approximately $32 million from proposed funding for the Timber Sale Management Program, decreasing last year's funding for this program by approximately $30 million. While I know that this funding is not yet precisely allocated to the various regions, I am concerned that a cut of this size might constrain the Service's overall capacity to adequately support efforts to recover, repair and rehabilitate public lands in Minnesota hard hit by the storm, and for that reason I think it would be unwise.

As I said, I recognize the problems with the Timber Sales Management Program, particularly in the Pacific Northwest, and I remain committed to supporting efforts to bring a halt to these environmentally unsustainable abuses. Even though I cannot support this amendment today, I look forward to working with my colleague Senator BRYAN and others to find ways to reform and improve the forest management practices of the Forest Service, and of those private industry firms with whom it cooperates, to eliminate the abuses of our forests which have been brought to light during this debate.

Mr. GORTON. Mr. President, the Endangered Species Act listing of various runs of salmon throughout the Northwest has been a wake-up call for Washingtonians. We have seen an unprecedented decline in a historically vibrant salmon population, relied upon by countless sportsmen, commercial and tribal fishermen, and those of us who see salmon as a Northwest cultural icon.

And for years, at all levels of government, we've spent billions of dollars in an effort to recover this important species, but we've seen little in return. Millions and millions of dollars have been spent on massive studies. Millions of dollars have fueled growing bureaucracies to address the problem and create new regulations that may or may not save the fish.

In all the flurry of activity and spending, one, largely unrecognized effort has done more in our rivers and streams to improve salmon habitat than almost anything else in which we've invested our resources. Across Washington state, small, local volunteer groups spend their weekends restoring streams, revegetating riparian areas and creating healthy, inviting places for salmon to return. They recruit people from all over the community to spend a few hours on the weekend working in their local stream, river, or anywhere else that will make a difference for the fish.

In many cases, these locally-grown groups are able to work cooperatively with private landowners to restore streams and rivers that run through their property. These efforts achieve results and make all parties satisfied with the outcome in a way that government-mandated directives could never do.

That's why my 1999 Interior Appropriations bill includes a $4 million appropriation for these groups to be able to continue their hard work and worthy efforts. The money will be appropriated to the National Fish and Wildlife Foundation to distribute, as quickly as possible, to locally-organized, on-the-ground salmon enhancement organizations.

These groups' potential for positive contributions to salmon recovery are immeasurable. For instance, a stream on the North Shore of Hood Canal would be an excellent salmon spawning and over wintering habitat if it were not for man-made barriers to fish passage. The Hood Canal Salmon Enhancement Group (HCSEG) would like to remove the 3 foot diameter pipe, which the stream now runs through, and correct the immediate four foot drop in the stream level. Replacing the pipe with an appropriately sized culvert and fishway would open up 1.7 miles of habitat for chum, coho, and steelhead. Hood Canal SEG likes to call these projects ''no-brainers'' because the habitat already exists, the fish just need to be able to get there.

Local residents are critical to these salmon recovery efforts, where intimate historic knowledge of seasonal flows, fish populations, and specific migratory trends don't typically exist outside the community.

Another group, Long Live the Kings (LLTK), is contributing to the recovery of listed salmonids in Hood Canal. At their Lilliwaup facility, LLTK is operating a captive rearing and supplementation program for threatened steelhead and summer chum. I was happy to have helped find funding for this program last year, and am pleased to continue this support.

While in the state during our August recess, I met with the Nooksack Salmon Enhancement Association out of Bellingham, Washington. This group, with the passionate leadership of volunteers like Mike and Elaine McRory, have taken on habitat restoration projects in urban and rural areas alike, successfully soliciting the cooperation of private landowners to recover local stocks. Landowner participation is often contagious, and NSEA has seen one project on a given stream turn into two, three, or even more.

It should be clear that organizations across Washington State, not just those within the Puget Sound basin, are eligible to apply for these funds. In fact my staff will be traveling to Okanogan county at the end of this month to introduce members of the local community to NFWF representatives.

Grants for local groups through the National Fish and Wildlife Foundation provide a much needed funding source for long overdue projects ranging from Skagit FEG's Little Baker River Side Channel project, which would open one mile of chinook spawning and rearing habitat, to riparian restoration in Newaukum and Portage Creeks, conducted by Mid-Sound FEG and Stilli-Snohomish Fisheries Enhancement Task Force.

The amount appropriated to the NFWF does include an earmark for a group that deserves special recognition for their efforts to clean up our local water, essential to salmon recovery success. River CPR's Puget Sound Drain Guard Campaign will employ volunteer labor to install devices aimed at trapping 90 percent of the oil and sediment that typically flows into storm drains. It is evident that this small amount of money is going to go a long way towards recovering salmon across our state.

Here is what some of these groups have to say about this initiative:

''Senator GORTON'S proposal to use the National Fish and Wildlife Foundation to direct funding to the local level is very innovative and will ensure that the funds are used where they most help fish, on the ground,'' said one Mid Sound Fisheries Enhancement Group board member.

Alison Studley writes, ''As a member of the Skagit Fisheries Enhancement Group (Skagit FEG), I whole-heartedly support your endeavor to get salmon dollars to support on-the-ground projects. Local organizations are ready, willing and able to take on this challenge.''

In sum: I believe that Washingtonians and local salmon restoration organizations—not bureaucracies in Washington, D.C.—are in the best position to make decisions that will return salmon. That's why my 1999 Interior Bill includes money for these local groups—who have been working on this problem for years—so they can decide how to restore the fisheries. It's time for the federal government to let those who will be affected by the decisions make these decisions. Salmon are a critical part of the Northwest way of life, so let Northwesterners decide how to fix this problem without being told how to do it from Washington, D.C.

MORNING BUSINESS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

VERMONT ELECTRIC RATES

Mr. JEFFORDS. Mr. President, today, plaintiffs from my home State of Vermont made opening arguments in the U.S. Court of Appeals for the District of Columbia. The plaintiffs, representing the New England Council for Energy Efficiency and the Environment, have raised serious questions about the Federal Energy Regulatory Commission's decision in 1997 to grant power marketer status to a subsidiary of the Canadian company Hydro-Quebec.

The Council is protesting that Hydro-Quebec was unlawfully granted the ability to buy and sell power in the U.S. without regulatory oversight. According to expert testimony in that case, Hydro-Quebec already exercises too much control over Northeastern energy markets, and Vermont ratepayers will have to pay higher energy bills if this license is upheld.

Hydro-Quebec's ability and willingness to exert undue influence on electricity markets in the United States is of serious concern. The company's request last month that the Canadian government sue the United States over fair trade practices is a clear infringement of the legitimate rights of Vermonters to set Vermont electric rates. The Vermont Public Service Board sets rates equally for all companies, be they foreign or domestic, yet Hydro-Quebec is using its status as a semi-governmental foreign company in an attempt to control these rates.

It is deeply ironic that Hydro-Quebec, a monopoly protected by Quebec law against all retail and virtually all wholesale competition in Quebec, should utilize principles of ''fair trade'' to lodge a complaint against the United States under NAFTA. Entrepreneurs in New England and New York who want to compete in Quebec are prohibited from doing so, thus precluding meaningful international competition in energy. Yet Hydro-Quebec is able to freely sell its energy in the U.S.

I call upon Hydro-Quebec to come out from behind its monopolistic shield and act like a true competitive utility. Drop your NAFTA lawsuit. End your efforts to undermine Vermont law. Stop using international law to threaten Vermont ratepayers. We want to do business with Hydro-Quebec, but we cannot do so while it tries to exert undue influence in Vermont and New England markets. In Vermont, the Public Service Board sets electric rates, not foreign companies. We will never, ever let a foreign entity write our rules on power sales.

I further call upon the Federal Energy Regulatory Commission to thoroughly examine all means by which a foreign utility may exert influence in the United States. Foreign companies should not be given carte blanche to sell energy in the U.S. until all impacts of that decision are considered—not only market share, but also environmental impacts and means outside of the market by which a foreign company may exert influence. Hydro-Quebec is taking advantage of its enormous size and semi-governmental status to gouge ratepayers in Vermont. This issue is of enormous importance to the people of Vermont, and I hope the Commission will thoroughly examine all of these issues.

Mr. President, I will do all in my power to protect Vermont electric ratepayers from unnecessary manipulation and threats. I am carefully reviewing the law related to wholesale and retail power sales and will be sure to work for a revision of this law if we see that a region of this nation, or a particular state, is being treated unfairly.

EAST TIMOR

Ms. MIKULSKI. Mr. President, I am horrified by the atrocities occurring in East Timor—where an armed militia is using murder and intimidation to nullify the results of a free and fair referendum. The United States must join the international community in protecting the people of East Timor from mass murder and religious persecution.

During this century, we have seen horrifying examples of dictators and despots whose brutality begins with attacks on the peaceful men and women of the church. This is happening again in East Timor—where members of the Church are being brutally persecuted.

The stories coming out of East Timor are heart-wrenching.

Women and children are massacred within the sanctuary of their churches. Catholic priests, nuns and Caritas workers are being murdered as they try to protect their communities. Nobel Loreate Bishop Beli has been forced into exile. Churches, convents and schools are being burned. Thousands of men, women and children are fleeing from their homes in fear. They are taking refuge in the countryside—where there isn't enough food, water or medicine.

This brutality is occurring with the complicity of the Indonesian military. This is a military that has conducted twenty five years of repression in East Timor. It is a military that the United States has trained and armed.

The international community cannot stand by while civilians are brutally murdered. That is why I support President Clinton's statement of support for US participation in an United Nations peacekeeping force. The force would be led by regional powers—including our strong ally Australia. The United States would help to provide logistical support.

This peacekeeping force would have three goals: to protect the people of East Timor; to restore order and to enable the referendum for independence to be implemented.

The United States must stand up for our interests and our values. We must join our allies in protecting the people of East Timor and restoring peace and stability to their country.

RISK MANAGEMENT FOR THE 21ST CENTURY

Mr. BURNS. Mr. President I rise today as one of the proud cosponsors of the Risk Management for the 21st Century Act.

This bill offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage their risk are able to sustain and increase profit. An effective crop insurance program will provide farmers and ranchers possibilities for economic sustainability in the future and help them out of the current financial crisis.

The Federal Government can help facilitate a program to unite the producer and the private insurance company. The control must be put ultimately in the hands of the agricultural producer. Although he cannot control risk, an effective management plan will help him to manage the effects of risks, such as weather, prices and natural disasters.

This bill addresses the inadequacies of the current crop insurance program.

The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is to allow an additional subsidy for risk management activities. If a producer uses futures or options, utilizes cash forwards, attends a risk management class, uses Agricultural Trade Options or FFARRM accounts or reduces farm financial risk, they will receive a 5 percent write-down on their premium for taking part in two of the above risk management tools.

This bill also takes into account lack of production histories for beginning farmers or those who have added land or use crop rotation. This will make it possible for those producers to get a foot in the door and receive affordable crop insurance.

Many times, especially in Montana, multi-year disasters occur. This bill helps producers that take a blow several years in a row, which reduces their Annual Production History (APH). If a producer has suffered a natural disaster during at least 3 of the preceding 5 years and their APH was reduced by at least 25 percent they may exclude one year of APH for every five years experience. During this time, the producer's APH may increase without limit back up to the level before the multi-year disaster began.

Specialty crops such as canola or dry beans, are another important addition to this bill. The Risk Management Agency (RMA) will allocate at least 50 percent of their Research and Development funds to specialty crop development. Additionally, RMA is authorized to spend up to $20 million each fiscal year to create partnerships for developing and implementing specialty crop risk management options.

This bill will also ultimately put more control in the hands of active producers by including four active producers; as well as one in crop insurance, and one in reinsurance. The board would also include the Under Secretary for Farm and Foreign Agricultural Services, the Under Secretary for Rural Development and the Chief Economist of USDA. In addition, it mandates that the Board Chairperson be one of the non-governmental members. These are important steps to ensure that the new program is run for the producers by the producers.

This bill is an important tool to reform the current crop insurance program into a risk management program, designed to help the producer in the long-term. It is vital to find a solution to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

I look forward to working with Senators ROBERTS and KERREY on this important piece of legislation. I believe this bill will pave the way for massive crop insurance reform and help agricultural producers out of this economic crisis.

NOMINATION OF RICHARD PAEZ

Mr. LEAHY. Mr. President, the Hispanic whose actions and fate I would like the Senate to focus on for action is Richard Paez. Richard Paez has never been convicted of a crime and is not associated with the FALN. He is not a petitioner seeking presidential clemency. Rather, he is a judicial nominee who has been awaiting consideration and confirmation by the Senate since January 1996—for over 3½ years.

The vacancy for which Judge Paez was nominated became a judicial emergency during the time his nomination has been pending without action by the Senate. His nomination was first received by the Senate almost 44 months ago.

This nomination has now been held even longer than the unconscionable 41 months this Senate forced Judge William Fletcher to wait before confirming his nomination last October.

Judge Paez has twice been reported favorably by the Senate Judiciary Committee to the Senate for final action. He is again on the Senate calendar. He was initially delayed 25 months before finally being accorded a confirmation hearing in February 1998. After being reported by the Judiciary Committee in March 1998, his nomination was held on the Senate Executive Calendar without action for over 7 months, for the remainder of the last Congress.

Judge Paez was renominated by the President again this year and his nomination was stalled without action before the Judiciary Committee until late July, when we were able to have his nomination reported again. The Senate refused to consider the nomination before the August recess. I have repeatedly urged the Republican leadership to call this nomination up for consideration and a vote. If they make time on the Senate floor for debate and consideration of a Senate resolution commenting on the clemency grant, which is a power the constitution invested in the President without a congressional role, the Senate should find time to consider the nomination of this fine Hispanic judge.

Judge Paez has the strong support of both California Senators and a ''well-qualified'' rating from the American Bar Association. He has served as a municipal judge for 13 years and as a Federal judge for 4 years.

In my view Judge Paez should be commended for the years he worked to provide legal services and access to our justice system for those without the financial resources otherwise to retain counsel. His work with the Legal Aid Foundation of Los Angeles, the Western Center on Law and Poverty and California Rural Legal Assistance for nine years should be a source of praise and pride.

Judge Paez has had the strong support of California judges familiar with his work, such as Justice H. Walter Crosky, and support from an impressive array of law enforcement officials, including Gil Garcetti, the Los Angeles District Attorney; the late Sherman Block, then Los Angeles County Sheriff; the Los Angeles County Police Chiefs' Association; and the Association for Los Angeles Deputy Sheriffs.

The Hispanic National Bar Association, the Mexican American Legal Defense and Educational Fund, the League of United Latin American Citizens, the National Association of Latino Elected and Appointed Officials, and many, many others have been seeking a vote on this nomination for what now amounts to years.

I want to commend the Chairman of the Judiciary Committee for his steadfast support of this nominee and Senator BOXER and Senator FEINSTEIN of California for their efforts on his behalf.

Last year the words of the Chief Justice of the United States were ringing in our ears with respect to the delays in Senate consideration of judicial nomination. He had written: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote. . . . The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.'' Those words resonate with respect to the nomination of Judge Paez.

I trust the American people recognize who is playing politics with the issue of clemency. I disagreed with the President's decision, but it was his to make. He says that he granted clemency with conditions after study and based on a sense of proportion and justice. The calls for clemency in these cases came from Bishop Tutu, Coretta Scott King, other Nobel peace prize winters, a number of churches and religious groups. It has drawn praise in some circles and criticism in others.

I do not agree with the President, but I caution that the overreaching by Republican critics in the Congress on this is worrisome, as well. To contend that this shows a weakness of resolve against international terrorism is both wrong and may itself be creating a dangerous atmosphere.

We ought to be careful when anyone, let alone the Senate and Congress of the United States, start bandying about declarations that accuse the United States Government of making ''deplorable concessions to terrorists,'' ''undermining national security'' or

''emboldening domestic and international terrorists.''

Playing politics with this matter and accusing the President of ''undermining our national security'' or ''emboldening terrorists'' carries significant risks. Could a potential terrorist somewhere in the world believe this political rhetoric and be '''emboldened'' by it? This is risky business. I do not believe the short-term political gain to the other party is worth having the Senate endorse a resolution that might itself have precisely that effect.

The Senate cannot find time to vote on the nomination of Judge Richard Paez or that of Bill Lann Lee to head the Civil Rights Division or that of Justice Ronnie White to be a Federal judge in Missouri or any of the scores of other nominees pending before it. The Senate has not completed work on 11 of the 13 appropriations bills that must be passed before October 1. The Republican Congress cannot find time to consider campaign finance reform or pass a real patients' bill of rights or consider raising the minimum wage or reforming Medicare or complete the juvenile crime bill conference, but there is plenty of time for floor debate and on the President's decision to exercise his clemency power. The Senate has had three hearings on judicial nominations all year and the Republican Congress will have that many hearings on the clemency decision this week.

In closing, I ask: If the Senate has the time to debate and vote on this resolution, why does it not have time to vote on the nomination of Judge Richard Paez to the Ninth Circuit?

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, September 13, 1999, the Federal debt stood at $5,654,837,966,230.82 (Five trillion, six hundred fifty-four billion, eight hundred thirty-seven million, nine hundred sixty-six thousand, two hundred thirty dollars and eighty-two cents).

Five years ago, September 13, 1994, the Federal debt stood at $4,681,594,000,000 (Four trillion, six hundred eighty-one billion, five hundred ninety-four million).

Ten years ago, September 13, 1989, the Federal debt stood at $2,853,357,000,000 (Two trillion, eight hundred fifty-three billion, three hundred fifty-seven million).

Fifteen years ago, September 13, 1984, the Federal debt stood at $1,572,267,000,000 (One trillion, five hundred seventy-two billion, two hundred sixty-seven million).

Twenty-five years ago, September 13, 1974, the Federal debt stood at $480,717,000,000 (Four hundred eighty billion, seven hundred seventeen million) which reflects a debt increase of more than $5 trillion—$5,174,120,966,230.82 (Five trillion, one hundred seventy-four billion, one hundred twenty million, nine hundred sixty-six thousand, two hundred thirty dollars and eighty-two cents) during the past 25 years.

APEC AND THE WTO

Mr. BAUCUS. Mr. President, I rise today to address recent developments in the world trading system that occurred over the past several days at the Asia Pacific Economic Cooperation (APEC) meetings.

Since its birth in 1989, APEC has been a useful forum to advance U.S. goals for world trade. In 1993, President Clinton hosted the first summit meeting of APEC leaders. That meeting helped to nudge the Uruguay Round of global trade talks to a successful conclusion. The following year, APEC leaders made a political commitment to free trade in the Pacific Basin by a date certain. Two years later, APEC leaders prodded WTO members to sign Information Technology Agreement. That agreement eliminates tariffs on products where U.S. companies have a clear advantage.

APEC has also launched some worthwhile projects aimed at making it easier to do business in the Pacific Rim.

The 21 members of APEC are responsible for almost half of the world's trade. They include country's at various stages of economic development. Members are as diverse as Papua New Guinea, Russia, Peru, and Australia. APEC is the only organization where China, Taiwan and Hong Kong sit together as equals to discuss economic issues. In 1998, U.S. trade with APEC members was just over one trillion dollars, about 70% of our trade. Our three biggest trading partners—Canada, Mexico and Japan—are in APEC

Last week in Auckland, New Zealand, APEC's trade and foreign ministers held their annual meeting. This was followed by the annual summit meeting of APEC leaders, including President Clinton. These meetings provided an opportunity for using APEC to further American trade interests in two ways. One was bilateral. It dealt with U.S.-China relations. The other was multilateral. It dealt with the World Trade Organization (WTO).

On the bilateral front, the annual APEC summit meeting provided President Clinton an opportunity to meet with China's President Jiang Zemin and get our relations with China on track. In particular, it was a chance to restart the talks on China's accession to the WTO.

To join the WTO, China must make one-way concessions in order to gain permanent Normal Trade Relations (NTR) status. Before the China trade talks broke down for political reasons unrelated to trade, China made some important commitments to us in its accession protocol. For example, in addition to tariff cuts and agriculture concessions, China promised to eliminate technology transfer requirements for investment licenses. It will end investment performance requirements designed to take jobs from other countries.

China's WTO accession requires no American trade concessions. And China has agreed to a ''product-specific safeguard'' which will strengthen our ability to fight sudden import surges. A good accession protocol will be good for America. The Clinton-Jiang meeting in Auckland infused our bilateral trade talks with new life.

The U.S. negotiators thus far have done an excellent job. They have already offered American farmers a ray of hope during a very difficult year. And we are close to an accession that will make trade with China fundamentally more fair for our country. It will then be up to this Senate, and to our colleagues, to take the final step by making the normal trade relations we now offer to China permanent.

On the multilateral end, the Auckland meetings were an opportunity for APEC members to show a united front for progress to the other members of the WTO. There was some forward movement on this in Auckland, but not as much as we needed. The key issue is how much we should achieve in the next WTO trade round. The next round will be launched two months from now, when the United States hosts the Seattle WTO Ministerial.

In this regard, last week I introduced Senate Concurrent Resolution 55. It contained the elements of what I believe we should achieve in the next round. At their Auckland meeting, APEC trade ministers endorsed a number of these elements. Procedurally, they said that the talks should be completed in three years, rather than the seven years it took for the Uruguay Round. They said that WTO members should treat the talks as one single package, not a collection of separate topics where members can opt out of the tough issues. They mentioned the need to address tariffs on manufactured products.

All that was useful. But the APEC minsters did not go far enough. President Clinton and the leaders of the other APEC members set out ambitious goals for them five years ago. To achieve those goals, the trade ministers must set specific targets. In agriculture, for example, the Auckland meeting supported abolishing all export subsidies. That is a specific, ambitious target. We need the same specificity on other agricultural trade issues which, such as tariffs, trade-distorting domestic subsidies, and government trading companies. It would have been very helpful to have APEC trade ministers support progress in these areas

The trade ministers should have made a much stronger statement on trade in services. This is not only an important component of developed economies. Services of all sectors—financial, communications, legal, engineering—are vital to developing nations as well.

I wish the APEC trade ministers had been more concrete and specific in their treatment of the WTO talks. I hope this does not foreshadow three years of negotiations which yield weak results.

Finally, I would like to endorse a point that the heads of the APEC governments made in their summit communiqué. They noted that great disparities in wealth threaten social stability. That is true both within a country and between nations. We must ensure that the benefits of globalization are widely shared. We must show that the global trading system improves the quality of life for WTO members.

We need to emphasize the human dimension of globalization. That human includes issues such a labor and the environment, which APEC ministers and leaders largely ignored at Auckland. I hope that future meetings of APEC summits focus on these issues, and that APEC becomes a positive force for their full consideration in the WTO.

VOTE ANNOUNCEMENT CORRECTION

Ms. MIKULSKI. Mr. President, on rollcall vote #8, if I had been present, I would have voted nay. My position was announced as aye.

I ask unanimous consent that the permanent RECORD be corrected to reflect how I would have voted, if I had been present.

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

Ms. MIKULSKI. Thank you, Mr. President.

MESSAGE FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 9:44 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

At 1:52 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 658. An act to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System.

H.R. 898. An act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''.

H.R. 940. An act to establish the Lackawanna Heritage Valley American Heritage Area.

H.R. 1619. An act to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor.

H.R. 1651. An act to amend the Fisherman's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country.

H.R. 2112. An act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television.

The message further announced that the House has passed the following Senate bill, without amendment:

S. 380. An act to reauthorize the Congressional Award Act.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses, thereon; and appoints Mr. SKEEN, Mr. WALSH, Mr. DICKEY, Mr. KINGSTON, Mr. NETHERCUTT, Mr. BONILLA, Mr. LATHAM, Mrs. EMERSON, Mr. YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, Mr. HINCHEY, Mr. FARR of California, Mr. BOYD, and Mr. OBEY, as the managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conferences asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. LEWIS of California, Mr. YOUNG of Forida, Mr. SKEEN, Mr. HOBSON, Mr. BONILLA, Mr. NETHERCUTT, Mr. ISTOOK, Mr. CUNNINGHAM, Mr. DICKEY, Mr. FRELINGHUYSEN, Mr. MURTHA, Mr. DICKS, Mr. SABO, Mr. DIXON, Mr. VISCLOSKY, Mr. MORAN of Virginia, and Mr. OBEY, as the managers of the conference on the part of the House.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. PACKARD, Mr. ROGERS, Mr. KNOLLENBERG, Mr. FRELINGHUYSEN, Mr. CALLAHAN, Mr. LATHAM, Mr. BLUNT, Mr. YOUNG of Florida, Mr. VISCLOSKY, Mr. EDWARDS, Mr. PASTOR, Mr. FORBES, and Mr. OBEY, as the managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. ROGERS, Mr. KOLBE, Mr. TAYLOR of North Carolina, Mr. REGULA, Mr. LATHAM, Mr. MILLER of Florida, Mr. WAMP, Mr. YOUNG of Florida, Mr. SERRANO, Mr. DIXON, Mr. MOLLOHAN, Ms. ROYBAL-ALLARD, and Mr. OBEY, as the managers of the conference on the part of the House.

At 2:41 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2606) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. CALLAHAN, Mr. PORTER, Mr. WOLF, Mr. PACKARD, Mr. KNOLLENBERG, Mr. KINGSTON, Mr. LEWIS of California, Mr. BLUNT, Mr. YOUNG of Florida, Ms. PELOSI, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. SABO, and Mr. OBEY, as managers of the conference on the part of the House.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 898. An act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; to the Committee on Energy and Natural Resources.

H.R. 940. An act to establish the Lackawanna Heritage Valley American Heritage Area; to the Committee on Energy and Natural Resources.

H.R. 1619. An act to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor; to the Committee on Energy and Natural Resources.

H.R. 1651. An act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country; to the Committee on Commerce, Science and Transportation.

H.R. 2112. An act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; to the Committee on the Judiciary.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television; to the Committee on Commerce, Science and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second time and placed on the calendar:

H.R. 658. An act to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System.

REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Special report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000'' (Rept. No. 106–158).

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–5132. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Policy on Refuge Lands and Compensatory Mitigation under section 10/404 Permits'' (RIN1018–AF64), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5133. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Availability of NRC Public Records and Ending of NRC Local Public Document Room Program'' (RIN3150–AG07), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5134. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Nuclear Regulatory Commission Acquisition Regulation (NRCAR)'' (RIN3150–AF52), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5135. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''HI-STAR 100; List of Approved Spent Fuel Storage Casks: Addition)'' (RIN3150–AF17), received September 9, 1999; to the Committee on Environment and Public Works.

EC–5136. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance; Factors Considered When Evaluating a Governor's Request for a Major Disaster Declaration; 64 FR 47697; 09/01/99'' (RIN3067–AC94), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5137. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuel and Fuel Additives; Extension of California Enforcement Exemptions for Reformulated Gasoline Beyond December 31, 1999'' (FRL #6432–1), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5138. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Approval of Miscellaneous Revisions'' (FRL #6434–6), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5139. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Plans Kentucky: Approval of Revisions to the Louisville State Implementation Plan'' (FRL #6435–4), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5140. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District and Tehama County Air Pollution Control District'' (FRL #6434–2), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5141. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Making a Finding of Failure to Submit a Required State Implementation Plan for Carbon Monoxide; Nevada-Las Vegas Valley'' (FRL #6434–4), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5142. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled ''Customer Service in Permitting, A Toolkit for Regions, States, Tribes and Local Permitting Authorities''; to the Committee on Environment and Public Works.

EC–5143. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Parsons, KS; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–CE–36 {9–1/9–9}'' (RIN2120–AA66) (1999–0292), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5144. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Grain Valley, MO; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–28 {9–/9–9}'' (RIN2120–AA66) (1999–0291), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5145. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; York, NE; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–25 {9–1/9–2}'' (RIN2120–AA66) (1999–0287), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5146. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Emmetsburg, IA; Direct Final Rule; Request for Comments; Docket No. 99–ACE–39 {9–2/9–9}'' (RIN2120–AA66) (1999–0302), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5147. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Herrington, KS; Direct Final Rule; Request for Comments; Docket No. 99–ACE–41 {9–2/9–9}'' (RIN2120–AA66) (1999–0299), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5148. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Nevada, MO; Direct Final Rule; Request for Comments; Docket No. 99–ACE–40 {8–31/9–2}'' (RIN2120–AA66) (1999–0284), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5149. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Mojave, CA; Docket No. 99–AWP–2 {9–2/9–9}'' (RIN2120–AA66) (1999–0295), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5150. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled

''Establishment of Class E Airspace; Tupelo, MS; Docket No. 99–ASO–10 {9–1/9–2}'' (RIN2120–AA66) (1999–0286), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5151. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D and Class E Airspace; Lake Hood, Elmendorf AFB, and Merrill Field, AK; Correction: Docket No. 99–AAL–16 {9–2/9–9}'' (RIN2120–AA66) (1999–0301), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5152. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes; Request for Comments; Docket No. 99–NM–77 {8–31/9–2}'' (RIN2120–AA64) (1999–0325), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5153. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400 Series Airplanes; Docket No. 99–NM–222 {8–31/–2}'' (RIN2120–AA64) (1999–0326), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5154. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Series Airplanes; Docket No. 97–NM–03 {8–31/–2}'' (RIN2120–AA64) (1999–0327), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5155. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400, 757–200, 767–300 Series Airplanes; Docket No. 997–NM–111 {9–1/9–2}'' (RIN2120–AA64) (1999–0334), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5156. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –300, –400, –500 Series Airplanes; Request for Comments {9–1/9–2}'' (RIN2120–AA64) (1999–0335), received September 2, 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. BENNETT:

S. 1581. A bill to amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy; to the Committee on Armed Services.

By Mr. DURBIN:

S. 1582. A bill to modify the provisions of the Balanced Budget Act of 1997 relating to the medicare program under title XVIII of the Social Security Act; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ASHCROFT (for himself, Mr. COVERDELL, Mr. DEWINE, Mr. HAGEL, Mr. HELMS, Mr. INHOFE, Mr. GREGG, and Mr. SMITH of Oregon):

S. Res. 183. A resolution designating the week beginning on September 19, 1999, and ending on September 25, 1999, as National Home Education Week; to the Committee on the Judiciary.

By Mr. REID:

S. Res. 184. A resolution congratulating the Nevada Hispanic leaders in celebrating Hispanic Heritage Month in Washington, D.C; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself, Mr. LIEBERMAN, Mr. BUNNING, Mr. DEWINE, Mrs. LINCOLN, and Mr. GORTON):

S. Con. Res. 56. A concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 1581. A bill to amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy; to the Committee on Armed Services.

UTE ECONOMIC OPPORTUNITY ACT OF 1999

Mr. BENNETT. Mr. President, I rise today to introduce the ''Ute Economic Opportunity Act of 1999.'' This bill was introduced in the House of Representatives on September 9, 1999 by Representative CANNON. Currently, the Department of Energy administers the Naval Oil Shale Reserve Numbered 2, which is located in northeastern Utah. A portion of the Oil Shale Reserve exists on the Uintah and Ouray Reservation, which belongs to the Ute Indian Tribe. There have been several discussions that contemplate the transfer of the lands of the Oil Shale Reserve to the Bureau of Land Management. Due to the religious and historical significance of certain lands and the presence of wild horses and burros, the Ute Tribe is concerned that any transfer may infringe on their tribal rights and deviate from the current management direction.

This bill would continue the Department of Energy's administration of the Oil Shale Reserve, and also provide a significant opportunity for economic development to the Ute Tribe. The bill requires the Department of Energy to enter into a cooperative agreement with the Ute Tribe to develop a long-term plan to manage, develop, and administer the Oil Shale Reserve. Further, 180 days after enactment of this bill, the Ute Tribe will enter into an oil and gas lease with the Department of Energy to develop the hydrocarbon resources present in the Oil Shale Reserve. It should be noted that the Ute Tribe has a history of responsible stewardship over the development of one of the largest oil and gas fields in Utah. I fully anticipate that the leasing process will go forward in an environmentally responsible manner. I expect nothing less from the Department and the Tribe.

Through the management and utilization of these resources, the Ute Tribe will have an opportunity to develop high quality, high paying jobs that are sorely needed on the Uintah and Ouray Reservation while sustainably managing the land.

The Ute Economic Opportunity Act of 1999 is an important piece of legislation that will allow the Ute Tribe to pursue economic independence.

ADDITIONAL COSPONSORS

S. 341

At the request of Mr. CRAIG, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 341, a bill to amend the Internal Revenue Code of 1986 to increase the amount allowable for qualified adoption expenses, to permanently extend the credit for adoption expenses, and to adjust the limitations on such credit for inflation, and for other purposes.

S. 424

At the request of Mr. COVERDELL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 424, a bill to preserve and protect the free choice of individuals and employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 511

At the request of Mr. MCCAIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 511, a bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 656

At the request of Mr. REED, the name of the Senator from Minnesota (Mr.

WELLSTONE) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 693

At the request of Mr. HELMS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 712

At the request of Mr. LOTT, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 712, a bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps.

S. 909

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 909, a bill to provide for the review and classification of physician assistant positions in the Federal Government, and for other purposes.

S. 914

At the request of Mr. SMITH, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 914, a bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes.

S. 1004

At the request of Mr. BURNS, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1004, a bill to amend the Communications Act of 1934 to reduce telephone rates, provide advanced telecommunications services to schools, libraries, and certain health care facilities, and for other purposes.

S. 1010

At the request of Mr. JEFFORDS, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1010, 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.

S. 1020

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1115

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1115, a bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area.

S. 1133

At the request of Mr. GRAMS, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1133, a bill to amend the Poultry Products Inspection Act to cover birds of the order Ratitae that are raised for use as human food.

S. 1144

At the request of Mr. VOINOVICH, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1225

At the request of Ms. COLLINS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1225, a bill to provide for a rural education initiative, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1319

At the request of Mr. ALLARD, his name was added as a cosponsor of S. 1319, a bill to authorize the Secretary of Housing and Urban Development to renew project-based contracts for assistance under secion 8 of the United States Housing Act of 1937 at up to market rent levels, in order to preserve these projects as affordable low-income housing, and for other purposes.

S. 1369

At the request of Mr. JEFFORDS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1369, a bill to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency, and for other purposes.

S. 1547

At the request of Mr. BURNS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

S. 1564

At the request of Mr. COCHRAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1564, a bill to protect the budget of the Federal courts.

S. 1568

At the request of Mr. FEINGOLD, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1568, a bill imposing an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have implemented, and for other purposes.

SENATE RESOLUTION 158

At the request of Mrs. MURRAY, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of Senate Resolution 158, a resolution designating October 21, 1999, as a ''Day of National Concern About Young People and Gun Violence.''

SENATE RESOLUTION 178

At the request of Mr. THURMOND, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Louisiana (Mr. BREAUX), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from Colorado (Mr. CAMPBELL), the Senator from North Dakota (Mr. CONRAD), the Senator from Idaho (Mr. CRAPO), the Senator from Ohio (Mr. DEWINE), the Senator from Illinois (Mr. FITZGERALD), the Senator from Texas (Mr. GRAMM), the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Texas (Mrs. HUTCHISON), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Hampshire (Mr. SMITH), the Senator from Oregon (Mr. SMITH), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of Senate Resolution 178, a resolution designating the week beginning September 19, 1999, as ''National Historically Black Colleges and Universities Week.''

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the names of the Senator from Alaska (Mr. MURKOWSKI), the Senator from Nevada (Mr. BRYAN), the Senator from Illinois (Mr. DURBIN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Resolution 179, a resolution designating October 15, 1999, as ''National Mammography Day.''

SENATE RESOLUTION 181

At the request of Mr. HARKIN, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of Senate Resolution 181, a resolution expressing the sense of the Senate regarding the situation in East Timor.

AMENDMENT NO. 1595

At the request of Mr. BENNETT the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of Amendment No. 1595 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1598

At the request of Mr. MURKOWSKI the names of the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. REED), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 1598 intended to be proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1613

At the request of Ms. SNOWE her name was added as a cosponsor of amendment No. 1613 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

SENATE CONCURENT RESOLUTION 56—EXPRESSING THE SENSE OF CONGRESS REGARDING THE IMPORTANCE OF ''FAMILY FRIENDLY''; PROGRAMMING ON TELEVISION

Mr. VOINOVICH (for himself Mr. LIEBERMAN, Mr. BUNNING, Mr. DEWINE, Mrs. LINCOLN, and Mr. GORTON) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 56

Expressing the sense of Congress regarding the importance of ''family friendly'' programming on television.

Whereas American children and adolescents spend between 22 and 28 hours each week viewing television;

Whereas American homes have an average of 2.75 television sets, and 87 percent of homes with children have more than 1 television set;

Whereas there is a need to increase the availability of programs suitable for the entire family during prime time viewing hours;

Whereas surveys of television content demonstrate that many programs contain substantial sexual or violent content;

Whereas although parents are ultimately responsible for appropriately supervising their children's television viewing, it is also important to provide positive, ''family friendly'' programming that is suitable for parents and children to watch together;

Whereas efforts should be made by television networks, studios, and the production community to produce more quality family friendly programs and to air those programs during times when parents and children are likely to be viewing together;

Whereas members of the Family Friendly Programming Forum are concerned about the availability of family friendly television programs during prime time viewing hours; and

Whereas Congress encourages activities by the Forum and other entities designed to promote family friendly programming, including—

(1) participating in meetings with leadership of major television networks, studios, and production companies to express concerns;

(2) expressing the importance of family friendly programming at industry conferences, meetings, and forums;

(3) honoring outstanding family friendly television programs with a new tribute, the Family Program Awards, to be held annually in Los Angeles, California;

(4) establishing a development fund to finance family friendly scripts; and

(5) underwriting scholarships at television studies departments at institutions of higher education to encourage student interest in family friendly programming: Now, therefore, be it

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

(1) recognizes and honors the efforts of the Family Friendly Programming Forum and other entities supporting family friendly programming;

(2) supports efforts to encourage television networks, studios, and the production community to produce more quality family friendly programs;

(3) supports the proposed Family Friendly Programming Awards, development fund, and scholarships, all of which are designed to encourage, recognize, and celebrate creative excellence in, and commitment to, family friendly programming; and

(4) encourages the media and American advertisers to further a family friendly television environment within which appropriate advertisements can accompany the programming.

● Mr. VOINOVICH. Mr. President, I rise today along with my friend and colleague from Connecticut, Senator LIEBERMAN, to submit a resolution recognizing the importance of expanding the amount of family friendly television programming, and to saluting the contributions that the Family Friendly Programming Forum is undertaking to make this goal a reality.

As nearly any parent will attest, it can be a very difficult task to keep track of what their children watch after school. It is particularly hard for working parents. Each week the average child watches 22 to 28 hours of television, which is more time than is spent on nearly any other activity, except sleeping. The trick for parents is to establish good family viewing habits that emphasize quality programming and which are suited to the age of these young viewers. Many parents have indicated their desire to have more program choices for family friendly viewing during the evening hours when everyone is home together.

To help in this endeavor, a number of our nation's leading companies have joined forces to establish the Family Friendly Programming Forum. The Forum's members, which includes some of the nation's largest television advertisers, are encouraging the production of more television programs geared toward the entire family. As sponsors of a wide range of programs, the Forum's members believe that there is a definite call for more family friendly movies, documentaries, series and other programs that are relevant and interesting to a broad family audience.

The members of the Forum are working on a variety of initiatives in an effort to promote more family friendly programs. They are: engaging in constructive dialogue with industry leaders, presenting awards to family friendly television programs, establishing a development fund for family friendly scripts, awarding university scholarships in television studies that highlight family television themes, as well as embarking on a public awareness campaign.

Mr. President, as a father and a grandfather, I am deeply concerned about the healthy development of all our nation's children. The future of our nation depends to a great degree on the safe and nurturing environment that will give children a positive outlook on life. Therefore, I encourage efforts that will increase the number and quality of family TV programs. I congratulate the Family Friendly Programming Forum on their leadership toward that goal.

I believe that the passage of the resolution that Senator LIEBERMAN and I are introducing honors the Forum's commitment and helps raise the awareness of others in the business community to align themselves with the goal of bringing quality television to our nation's families for the benefit of our children. I encourage my colleagues to join us in cosponsoring this resolution and I urge the Senate to provide it's quick approval.●

SENATE RESOLUTION 183—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 19, 1999, AND ENDING ON SEPTEMBER 25, 1999, AS NATIONAL HOME EDUCATION WEEK

Mr. ASHCROFT (for himself, Mr. COVERDELL, Mr. DEWINE, Mr. HAGEL, Mr. HELMS, Mr. INHOFE, Mr. GREGG, and Mr. SMITH of Oregon) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 183

Whereas the United States is committed to excellence in education;

Whereas the United States recognizes the importance of family participation and parental choices in pursuit of that excellence;

Whereas the United States recognizes the fundamental right of parents to direct the education and upbringing of their children;

Whereas parents want their children to receive a first-class education;

Whereas training in the home strengthens the family and guides children in setting the highest standards for their lives which are essential elements to the continuity of morality in our culture;

Whereas home schooling families contribute significantly to the cultural diversity important to a healthy society;

Whereas the United States has a significant number of parents who teach their own children at home;

Whereas home education was proven successful in the lives of George Washington, Patrick Henry, John Quincy Adams, John Marshall, Robert E. Lee, Booker T. Washington, Thomas Edison, Abraham Lincoln, Franklin Roosevelt, Woodrow Wilson, Mark Twain, John Singleton Copley, William Carey, Phyllis Wheatley, and Andrew Carnegie;

Whereas home school students exhibit self-confidence and good citizenship and are fully prepared academically to meet the challenges of today's society;

Whereas dozens of contemporary studies continue to confirm that children who are educated at home score exceptionally well on nationally normed achievement tests;

Whereas a March 1999 study by the Educational Resources Information Center Clearinghouse on Assessment and Evaluation at the University of Maryland found that home school students taking the Iowa Test of Basic Skills or the Tests of Achievement and Proficiency scored in the 70th to 80th percentiles among all the students nationwide who took those exams, and 25 percent of home schooled students were studying at a level one or more grades above normal for their age;

Whereas studies demonstrate that home schoolers excel in college with the average grade point average of home schoolers exceeding the college average; and

Whereas United States home educators and home instructed students should be recognized and celebrated for their efforts to improve the quality of education: Now, therefore, be it

Resolved, That the week beginning on September 19, 1999, and ending on September 25, 1999, is designated as National Home Education Week. The President is authorized and requested to issue a proclamation recognizing the contributions that home schooling families have made to the Nation.

SENATE RESOLUTION 184—CONGRATULATING THE NEVADA HISPANIC LEADERS IN CELEBRATING HISPANIC HERITAGE MONTH IN WASHINGTON, D.C.

Mr. REID submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 184

Whereas September 15th begins the celebration of Hispanic Heritage Month;

Whereas in 1999, the Hispanic population in Nevada exceeds 253,000, and is expected to exceed 31,000,000 nationwide by the end of the millennium;

Whereas Hispanic schoolchildren represent 25 percent of the Clark County School District in Nevada;

Whereas it is important to highlight the contributions Hispanics have made to American society, culture, academics, business, and education;

Whereas Nevada Hispanic leaders have gathered in Washington, D.C., to attend Senator Harry Reid's National Conference for Hispanic Leadership Summit;

Whereas Nevada Hispanic leaders will have an opportunity to meet with Senator Reid's senatorial colleagues and members of the Congressional Hispanic Caucus;

Whereas Nevada Hispanic leaders will meet with the highest ranking Hispanic in President Clinton's Administration, Secretary of Energy, Bill Richardson, as well as other high level Hispanics in the Executive Branch;

Whereas Nevada Hispanic leaders will be briefed by the White House Initiative on Educational Excellence for Hispanic Americans, and will meet with White House Deputy Chief of Staff, Maria Echaveste, and the Director of Inter-Governmental Affairs, Mickey Ibarra;

Whereas Nevada Hispanic leaders will be briefed by Federal agencies critical to the Hispanic community's advancement, such as the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Housing and Urban Development, Justice, and Labor, as well as the Small Business Administration and the Immigration and Naturalization Service;

Whereas Nevada Hispanic leaders will be briefed by the Nation's pre-eminent Hispanic organizations, such as the National Council of La Raza, the Hispanic Association of Colleges and Universities, the National Association of Latino Elected Officials, the League of United Latin American Cities, the Mexican American Legal Defense and Educational Fund, the National Latino Children's Institute, the Aspira Association, and the MANA (a national Latina organization);

Whereas Senator Reid's conference will be an opportunity for Nevada Hispanic leaders to unite in Washington, D.C., so that the leaders can experience the legislative and regulatory process and interact with individuals and organizations who shape the Nation's policy; and

Whereas strong partnerships will be forged with the attendees of Senator Reid's conference who have travelled from Nevada to Washington, D.C., to influence policy and advance the needs and goals of Hispanics in Nevada and the Nation: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Nevada Hispanic leaders who have made a special trip to the Nation's Capital for this historic summit;

(2) commemorates the following names of the Nevada Hispanic leaders: Bob Agonia, Elvira J. Alvarez, Luisa Balza, Kelly Benavidez, Carina Black, Greg J. Black, Carlos Blumberg, Don Brown, Andrea Brown, Malena Burnett, Deanna Cambeiro-Remark, Liz Carrasco, Maria Champlin, Lyciane Corona, Laura Cortez, Cheryl Davis, Nico De La Puente, Johny Diaz, Dr. Mark Dominguez, Rose Dominguez, Lopez Edwardo, Elva Esparza, Edith Fernandez, Jacqueline Ferreiro, Judith Fleishman, Frank Canales, Charvez Foger, Sermerno Francisco, Zullie Franco, Hector Galvez-Lopez, Edward M. Garcia, Helena Garcia, Laura Garcia, Arriola Gilbert, Almalinda Guerrero, Jesse Gutierrez, Elaine Hernandez, Cinthya Hernandez, Cecilia Khan, Estela LaVario, Eduardo Lopez, Scott Antonio Lopez, Rene Mantecon, Diego Martin, Raul Martinez, Magda Martinez, Larry Mason, Griselda Maya, Rita Mc Gary, John Medina, Eva Melendrez, Jose Melendrez, Laura Mijanovich, Clara Miranda, Ramon Miranda, Marlene Monteolivo, Jesse Montes, Fran Montes, Gabriela Mora, John Mulligan, Mercy Nagel, Alberto Ochoa, Arturo Ochoa, Alex Ortiz, Rosa Parodi, Ciria Perez, Jose Pineda, Craig Pittman, Andres Ramirez, Dr. Maria G. Ramirez, Margarita Rebollal, Mary Resendez, Linda Rivera, Mario Rocha, Carlos Rodriguez Jr., Michelle Rodriguez, Fernando Romero, Dr. Carlos Romo, Martha Salazar, Tony Sanchez, Raymond Sandoval, Emma Sepulveda, Carmen Suarez, Maria Carmen Thomas, Jose Troncoso, Candida Ann Ureno, and Rafael Villanueva; and

(3) requests the legislative clerk of the Senate to read the Resolution into the record upon its passage.

Mr. REID. Mr. President, September 15, 1999, marks the beginning of Hispanic Heritage Month. Today, I rise before my colleagues in the Senate to pay tribute to Nevada's dynamic Hispanic community, as well as the more than 30 million people in the United States who are of Hispanic heritage.

Mr. President, Nevada, which has consistently been the fastest growing state in the union, boasts a Hispanic population of more than two-hundred and fifty thousand. While the Hispanic community constitutes fifteen percent of the population of Las Vegas, more than one in four schoolchildren in the Las Vegas/Clark County School District are of Hispanic heritage. Our children are the future, and the inference is clear: the Hispanic community is the fastest growing minority group in Nevada and the entire country.

The many contributions of Hispanics in American society are demonstrated in the areas of culture, academics, business, education, the arts and entertainment. In Nevada, Hispanic leadership continues to advance as members of the community occupy more and more elected and appointed positions. I was especially honored to have my dear friend, Reynaldo Martinez, serve as my Chief of Staff in the United States Senate.

Mr. President, to celebrate these many contributions, but also, to address the path that lies ahead, Nevada Hispanic leaders from Nevada will gather in Washington, D.C. from September 15–17, 1999, for Unidos para el Futuro (United for the Future), my National Conference for Nevada Hispanic Leadership. Armed with the lessons of the past, and ready to confront the challenges of the future, these members of the Nevada Hispanic community will have the opportunity to meet with my colleagues in the Senate and the House of Representatives, including the Congressional Hispanic Caucus. I am honored that Energy Secretary Bill Richardson, the highest ranking Hispanic in President Clinton's administration, will also address the gathering. Furthermore, the group will meet with numerous national Hispanic organizations, as well as officials from the various federal agencies that interact with the Hispanic community. I am hopeful that the efforts we are undertaking will provide our friends and colleagues in the Hispanic community with essential information on a variety of issues, as well as the necessary interaction with those individuals and entities that shape policy. Such pro-action on our part is imperative in the Senate which, unfortunately, is without a Hispanic Member.

As elected officials, we must be constantly apprised of the issues that are important to our constituents. Simply put, the priorities of the Hispanic community must be our priorities as well.

Mr. President, I rise to recognize and honor the following members of Nevada's Hispanic community who have joined me in our nation's capital, united for the future:

Bob Agonia, Elmira J. Alvarez, Luisa Balsa, Kelly Benavidez, Carina Black,

Greg J. Black, Carlos Blumberg, Don Brown, Andrea Brown, Malena Burnett, Deanna Cambeiro-Remark, Liz Carrasco, Maria Champlin, Lyciane Corona, Laura Cortez, Cheryl Davis, Nico De La Puente, Johnny Diaz, Dr. Mark Dominguez, Rose Dominguez, Lopez Edwardo, Elva Esparza, Edith Fernandez, Jacqueline Ferreiro, Judith Fleishman, Frank Canales, Charvez Roger, Sermeño Francisco, Zullie Franco, Hector Galvez-Lopez, Edward M. Garcia, Helena Garcia, Laura Garcia, Arriola Gilbert, Almalinda Guerrero, Jesse Gutierrez, Elaine Hernandez, Cinthya Hernandez, Cecilia Khan, Estela LaVario, Eduardo Lopez, Scott Antono Lopez, Rene Mantecon, Diego Martin, Rual Martinez, Magda Martinez, Larry Mason, Griselda Mava, Rita Mac Gary, John Medina, Eva Melendrez, Jose Melendrez, Laura Mijanovich, Clara Miranda, Ramon Miranda, Marlene Monteolivo, Jesse Montes, Fran Montes, Gabriel Mora, John Mulligan, Mercy Mangel, Alberto Ochoa, Arturo Ochoa, Alex Ortiz, Rosa Parodi, Ciria Perez, Jose Pineda, Craig Pittman, Andres Ramirez, Dr. Maria G. Ramirez, Margarita Rebollal, Mary Resendez, Linda Rivera, Mario Rocha, Carlos Rodriguez, Jr., Michelle Rodriguez, Fernando Romeo, Dr. Carlos Romero, Martha Salazar, Tony Sanchez, Raymond Sandal, Emma Sepulveda, Carmen Suarez, Maria Carmen Thomas, Jose Troncoso, Candida Ann Ureno, Rafael Villanueva.

AMENDMENTS SUBMITTED

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SHELBY AMENDMENT NO. 1624

Mr. SHELBY proposed an amendment to the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

Strike all after the enacting clause and insert: That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,900,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $600,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $9,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

For necessary expenses of the Office of the Assistant Secretary for Policy, $2,900,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, $7,700,000: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,250,000 in funds received in user fees.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $6,870,000, including not to exceed $45,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $18,600,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, $1,800,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $1,110,000.

BOARD OF CONTRACT APPEALS

For necessary expenses of the Board of Contract Appeals, $560,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, $1,222,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $5,100,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $7,200,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $3,300,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $169,953,000, shall be paid from appropriations made available to the Department of Transportation: *Provided,* That the preceding limitation shall not apply to activities associated with departmental Year 2000 conversion activities: *Provided further,* That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further,* That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further,* That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further,* That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $13,775,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,900,000, of which $2,635,000 shall remain available until September 30, 2001: *Provided,* That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,772,000,000, of which $534,000,000 shall be available for defense-related activities; and of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That none of the funds appropriated in this or any other Act shall be available for pay for administrative expenses in connection with shipping commissioners in the United States: *Provided further,* That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further,* That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further,* That up to $615,000 in user fees collected pursuant to section 1111 of Public Law 104–324 shall be credited to this appropriation as offsetting collections in fiscal year 2000: *Provided further,* That the Secretary may transfer funds to this account, from Federal Aviation Administration ''Operations'', not to exceed $60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, for the purpose of providing additional funds for drug interdiction activities and/or the Office of Intelligence and Security activities: *Provided further,* That none of the funds in this Act shall be available for the Coast Guard to plan, finalize, or implement any regulation that would promulgate new maritime user fees not specifically authorized by law after the date of enactment of this Act: *Provided further,* That the United States Coast Guard will reimburse the Department of Transportation Inspector General $5,000,000 for costs associated with audits and investigations of all Coast Guard-related issues and systems.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $370,426,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $123,560,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2004; $33,210,000 shall be available to acquire new

aircraft and increase aviation capability, to remain available until September 30, 2002; $52,726,000 shall be available for other equipment, to remain available until September 30, 2002; $63,800,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2002; $52,930,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2001; and $44,200,000 shall be deposited in the Deepwater Replacement Project Revolving Fund to remain available until expended: *Provided,* That funds received from the sale of HU–25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further,* That the Commandant of the Coast Guard is authorized to and may dispose of by sale at fair market value all rights, title, and interests of any United States entity on behalf of the Coast Guard in and to the land of, and improvements to, South Haven, Michigan; ESMT Manasquan, New Jersey; Petaluma, California; ESMT Portsmouth, New Hampshire; Station Clair Flats, Michigan; and, Aids to navigation team Huron, Ohio: *Provided further,* That there is established in the Treasury of the United States a special account to be known as the Deepwater Replacement Project Revolving Fund and proceeds from the sale of said specified properties and improvements shall be deposited in that account, from which the proceeds shall be available until expended for the purposes of replacing or modernizing Coast Guard ships, aircraft, and other capital assets necessary to conduct its deepwater statutory responsibilities: *Provided further,* That, if balances in the Deepwater Replacement Project Revolving Fund permit, the Commandant of the Coast Guard is authorized to obligate up to $60,000,000.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $12,450,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $14,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $730,327,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $72,000,000: *Provided,* That no more than $20,000,000 of funds made available under this heading may be transferred to Coast Guard ''Operating expenses'' or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: *Provided further,* That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $17,000,000, to remain available until expended, of which $3,500,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $5,857,450,000 from the Airport and Airway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: *Provided further,* That the Secretary may transfer funds to this account, from Coast Guard ''Operating expenses'', not to exceed $60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, solely for the purpose of providing additional funds for air traffic control operations and maintenance to enhance aviation safety and security, and/or the Office of Intelligence and Security activities: *Provided further,* That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That of the funds appropriated under this heading, $5,000,000 shall be for the contract tower cost-sharing program: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further,* That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further,* That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further,* That none of the funds in this Act may be used for the Federal Aviation Administration to enter into a multiyear lease greater than five years in length or greater than $100,000,000 in value unless such lease is specifically authorized by the Congress and appropriations have been provided to fully cover the Federal Government's contingent liabilities: *Provided further,* That the Federal Aviation Administration will reimburse the Department of Transportation Inspector General $19,000,000 for costs associated with audits and investigations of all aviation-related issues and systems: *Provided further,* That notwithstanding any other provision of law, the FAA Administrator may contract out the entire function of Oceanic flight services.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,045,652,000, of which $1,721,086,000 shall remain available until September 30, 2002, and of which $274,566,000 shall remain available until September 30, 2000: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSIONS)

Of the amounts provided under this heading in Public Law 104–205, $17,500,000 are rescinded: *Provided,* That of the amounts provided under this heading in Public Law 105–66, $282,000,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $150,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2002: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, and for administration of such programs, $1,750,000,000, to be derived from the

Airport and Airway Trust Fund and to remain available until expended: *Provided,* That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $2,000,000,000 in fiscal year 2000, notwithstanding section 47117(h) of title 49, United States Code: *Provided further,* That discretionary grant funds available for noise planning and mitigation shall not exceed $60,000,000: *Provided further,* That, notwithstanding any other provision of law, not more than $47,891,000 of the funds limited under this heading shall be obligated for administration.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

The obligation limitation under this heading in Public Law 105–277 is hereby reduced by $290,000,000.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

None of the funds in this Act shall be available for activities under this heading during fiscal year 2000.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $370,000,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided further,* That $55,418,000 shall be available to carry out the functions and operations of the office of motor carriers: *Provided further,* That, notwithstanding Public Law 105–178 or any other provision of law, $14,500,000 of the funds available under section 104(a) of title 23, United States Code, shall be made available and transferred to the National Highway Traffic Safety Administration operations and research to carry out the provisions of chapter 301 of title 49, United States Code, part C of subtitle VI of title 49, United States Code, and section 405(b) of title 23, United States Code: *Provided further,* That of the $14,500,000 made available for traffic and highway safety programs, $8,300,000 shall be made available to carry out the provisions of chapter 301 of title 49, United States Code and $6,200,000 shall be made available to carry out the provisions of part C of subtitle VI of title 49, United States Code: *Provided further,* That $7,500,000, of the funds available under section 104(a) of title 23, United States Code, shall be made available and transferred to the National Highway Traffic Safety Administration, Highway Traffic Safety Grants, for ''Child Passenger Protection Education Grants'' under section 405(b) of title 23, United States Code: *Provided further,* That, the Federal Highway Administration will reimburse the Department of Transportation Inspector General $9,000,000 from funds available within this limitation on obligations for costs associated with audits and investigations of all highway-related issues and systems.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $27,701,350,000 for Federal-aid highways and highway safety construction programs for fiscal year 2000: *Provided,* That, notwithstanding any other provision of law, within the $27,701,350,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $391,450,000 shall be available for the implementation or execution of programs for transportation research (Sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and sections 5112 and 5204–5209 of Public Law 105–178) for fiscal year 2000; not more than $20,000,000 shall be available for the implementation or execution of programs for the Magnetic Levitation Transportation Technology Deployment Program (Section 1218 of Public Law 105–178) for fiscal year 2000, of which not to exceed $500,000 shall be available to the Federal Railroad Administration for administrative expenses and technical assistance in connection with such program; not more than $31,000,000 shall be available for the implementation or execution of programs for the Bureau of Transportation Statistics (Section 111 of title 49, United States Code) for fiscal year 2000: *Provided further,* That, notwithstanding any other provision of law, of the funds made available in fiscal year 2000 to carry out section 144(g)(1) of title 23, United States Code, $10,000,000 shall be made available to carry out section 1224 of Public Law 105–178: *Provided further,* That notwithstanding any other provision of law, within the $27,701,350,000 obligation limitation, of the amounts made available as contract authority under section 1221(e) of the Transportation Equity Act for the 21st Century (Public Law 105–178), $6,000,000 shall be made available to carry out section 5113 of that Act and $5,000,000 shall be made available to carry out the Nationwide Differential Global Positioning System program: *Provided further,* That, notwithstanding any other provision of law, within the $211,200,000 obligation limitation on Intelligent Transportation Systems, not less than the following sums shall be made available for Intelligent Transportation system projects in the following specified areas:

ITS deployment projects	*Committee recommendation*
Southeast Michigan	$4,000,000
Salt Lake City, UT	6,500,000
Branson, MO	1,500,000
St.Louis, MO	2,000,000
Shreveport, LA	2,000,000
State of Montana	3,500,000
State of Colorado	4,000,000
Arapahoe County, CO	2,000,000
Grand Forks, ND	500,000
State of Idaho	2,000,000
Columbus, OH	2,000,000
Inglewood, CA	2,000,000
Fargo, ND	2,000,000
Albuquerque/State of New Mexico interstate projects	2,000,000
Dothan/Port Saint Joe	2,000,000
Santa Teresa, NM	1,500,000
State of Illinois	4,800,000
Charlotte, NC	2,500,000
Nashville, TN	2,000,000
Tacoma Puyallup, WA	500,000
Spokane, WA	1,000,000
Puget Sound, WA	2,200,000
State of Washington	4,000,000
State of Texas	6,000,000
Corpus Christi, TX	2,000,000
State of Nebraska	1,500,000
State of Wisconsin rural systems	1,000,000
State of Wisconsin	2,400,000
State of Alaska	3,700,000
Cargo Mate, Northern NJ	2,000,000
Statewide Transcom/ Transmit upgrades, NJ	6,000,000
State of Vermont rural systems	2,000,000
State of Maryland	4,500,000
Washoe County, NV	2,000,000
State of Delaware	2,000,000
Reno/Tahoe, CA/NV	1,000,000
Towamencin, PA	1,100,000
State of Alabama	1,300,000
Huntsville, AL	3,000,000
Silicon Valley, CA	2,000,000
Greater Yellowstone, MT	2,000,000
Pennslyvania Turnpike, PA	7,000,000
Portland, OR	1,500,000
Delaware River, PA	1,500,000
Kansas City, MO	1,000,000:

Provided further, That, notwithstanding Public Law 105–178 as amended, or any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2000 shall be apportioned based on each State's percentage share of funding provided for under section 105 of title 23, United States Code, for fiscal year 2000. Of these funds to be apportioned under section 110 for fiscal year 2000, the Secretary shall ensure that such funds are apportioned for the Interstate Maintenance program, the National Highway System program, the bridge program, the surface transportation program, and the congestion mitigation and air quality improvement program in the same ratio that each State is apportioned funds for such programs in fiscal year 2000 but for this section.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, U.S.C., that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $26,300,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For necessary expenses to carry out 49 U.S.C. 31102, $50,000,000 to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That no more than $155,000,000 of budget authority shall be available for these purposes: *Provided further,* That notwithstanding any other provision of law, $105,000,000 is for payment of obligations incurred in carrying out 49 U.S.C. 31102 to be derived from the Highway Trust Fund and to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary, to be derived from the Highway Trust Fund, $72,900,000 for traffic and highway safety under chapter 301 of title 49, United States Code, of which

$48,843,000 shall remain available until September 30, 2001: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect: *Provided further*, That none of the funds made available under this Act may be obligated or expended to implement section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (42 U.S.C. 405 note).

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding Public Law 105–178 or any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000 to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411 to remain available until expended, $206,800,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000, are in excess of $206,800,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411 of which $152,800,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402, $10,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405, $36,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Grants'' under 23 U.S.C. 410, $8,000,000 shall be for the ''State Highway Safety Data Grants'' under 23 U.S.C. 411: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed $7,500,000 of the funds made available for section 402, not to exceed $500,000 of the funds made available for section 405, not to exceed $1,750,000 of the funds made available for section 410, and not to exceed $223,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under Chapter 4 of title 23, U.S.C.: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $91,789,000, of which $6,700,000 shall remain available until expended: *Provided*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation: *Provided further*, That the Federal Railroad Administration will reimburse the Department of Transportation Inspector General $1,000,000 for costs associated with audits and investigations of all rail-related issues and systems: *Provided further*, That the Administrator of the Federal Railroad Administration is authorized to transfer funds appropriated for any office under this heading to any other office funded under this heading: *Provided further*, That no appropriation shall be increased or decreased by more than 10 percent by such transfers unless it is approved by both the House and Senate Committees on Appropriations.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $22,364,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2000.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 United States Code sections 26101 and 26102, $20,500,000, to remain available until expended.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $14,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $10,000,000 to be matched by the State of Rhode Island or its designee on a dollar-for-dollar basis and to remain available until expended.

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation as authorized by U.S.C. 24104(a), $571,000,000, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $12,000,000, to remain available until expended: *Provided*, That no more than $60,000,000 of budget authority shall be available for these purposes: *Provided further*, That the Federal Transit Administration will reimburse the Department of Transportation Inspector General $9,000,000 for costs associated with audits and investigations of all transit-related issues and systems.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $619,600,000, to remain available until expended: *Provided*, That no more than $3,098,000,000 of budget authority shall be available for these purposes.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: *Provided*, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $21,000,000, to remain available until expended: *Provided*, That no more than $107,000,000 of budget authority shall be available for these purposes: *Provided further*, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)); $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315); $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)); $49,632,000 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305); $10,368,000 is available for state planning (49 U.S.C. 5313(b)); and $29,500,000 is available for the national planning and research program (49 U.S.C. 5314): *Provided further*, That of the total budget authority made available for the national planning and research program, the Federal Transit Administration shall provide the following amounts for the projects and activities listed below:

Zinc-air battery bus technology demonstration, $1,500,000;

Electric vehicle information sharing and technology transfer program, $1,000,000;

Portland, ME independent transportation network, $500,000;

Wheeling, WV mobility study, $250,000;

Utah advanced traffic management system, transit component, $3,000,000;

Project ACTION, $3,000,000;

Trans-Hudson tunnel feasibility study, $5,000,000;

Washoe County, NV transit technology, $1,250,000;

Massachusetts Bay Transit Authority advanced electric transit buses and related infrastructure, $1,500,000;

Palm Springs, CA fuel cell buses, $1,500,000;

Gloucester, MA intermodal technology center, $1,500,000;

Southeastern Pennsylvania Transit Authority advanced propulsion control system, $3,000,000; and

Advanced transit systems and electric vehicle program (CALSTART), $1,000,000.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $4,638,000,000, to remain available until expended of which $4,638,000,000 shall be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That $2,478,400,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That $86,000,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That $48,000,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That $4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That $60,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: *Provided further*, That $1,960,800,000 shall be paid to the Federal Transit Administration's Capital Investment Grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $490,200,000, to remain available until expended: *Provided*, That no more than $2,451,000,000 of budget authority shall be available for these purposes: *Provided further*, That there shall be available for fixed guideway modernization, $980,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $490,200,000; and there shall be available for new fixed guideway systems $980,400,000: *Provided further*, That, within the total funds provided for buses and bus-related facilities to carry out 49 U.S.C. section 5309, the following projects shall be considered eligible for these funds: *Provided further*, That the Administrator of the Federal Transit Administration shall, not later than 60 days after the enactment of this Act, individually submit to the House and Senate Committees on Appropriations the recommended grant funding levels for the respective projects, from the following projects here listed:

2001 Special Olympics Winter Games buses and facilities, Anchorage, Alaska

Adrian buses and bus facilities, Michigan

Alabama statewide rural bus needs, Alabama

Alameda-Contra Costa Transit District Project, California

Albany train station/intermodal facility, New York

Albuquerque SOLAR computerized transit management system, New Mexico

Albuquerque Westside transit maintenance facility, New Mexico

Albuquerque, buses, paratransit vehicles, and bus facility, New Mexico

Alexandria Union Station transit center, Virginia

Alexandria, bus maintenance facility and Crystal City canopy project, Virginia

Allegheny County buses, Pennsylvania

Altoona bus testing facility, Pennsylvania

Altoona, Metro Transit Authority buses and transit system improvements, Pennsylvania

Ames transit facility expansion, Iowa

Anchorage Ship Creek intermodal facility, Alaska

Arkansas Highway and Transit Department buses, Arkansas

Arkansas state safety and preventative maintenace facility, Arkansas

Armstrong County-Mid-County, PA bus facilities and buses, Pennsylvania

Atlanta, MARTA buses, Georgia

Attleboro intermodal transit facility, Massachusetts

Austin buses, Texas

Babylon Intermodal Center, New York

Baldwin Rural Area Transportation System buses, Alabama

Ballston Metro access improvements, Virginia

Bay/Saginaw buses and bus facilities, Michigan

Beaumont Municipal Transit System buses and bus facilities, Texas

Beaver County bus facility, Pennsylvania

Ben Franklin transit buses and bus facilities, Richland, Washington

Billings buses and bus facilities, Montana

Birmingham intermodal facility, Alabama

Birmingham-Jefferson County buses, Alabama

Blue Water buses and bus facilities, Michigan

Boston Government Center transit center, Massachusetts

Boston Logan Airport intermodal transit connector, Massachusetts

Boulder/Denver, RTD buses, Colorado

Brazos Transit Authority buses and bus facilities, Texas

Brea shuttle buses, California

Bremerton multimodal center—Sinclair's Landing, Washington

Brigham City and Payson regional park and ride lots/transit centers, Utah

Brockton intermodal transportation center, Massachusetts

Buffalo, Auditorium Intermodal Center, New York

Burlington ferry terminal improvements, Vermont

Burlington multimodal center, Vermont

Cambria County, bus facilities and buses, Pennsylvania

Cedar Rapids intermodal facility, Iowa

Central Ohio Transit Authority vehicle locator system, Ohio

Centre Area Transportation Authority buses, Pennsylvania

Chattanooga Southern Regional Alternative fuel bus program, Georgia

Chester County, Paoli Transportation Center, Pennsylvania

Chittenden County Transportation Authority buses, Vermont

Clallam Transit multimodal center, Sequim, Washington

Clark County Regional Transportation Commission buses and bus facilities, Nevada

Cleveland, Triskett Garage bus maintenance facility, Ohio

Clinton transit facility expansion, Iowa

Colorado buses and bus facilities, Colorado

Columbia Bus replacement, South Carolina

Columbia buses and vans, Missouri

Compton Renaissance Transit System shelters and facilities, California

Corpus Christi Regional Transportation Authority buses and bus facilities, Texas

Corvallis buses and automated passenger information system, Oregon

Culver City, CityBus buses, California

Dallas Area Rapid Transit buses, Texas

Davis, Unitrans transit maintenance facility, California

Dayton, Multimodal Transportation Center, Ohio

Daytona Beach, Intermodal Center, Florida

Deerfield Valley Transit Authority buses, Vermont

Denver 16th Street Intermodal Center

Denver, Stapleton Intermodal Center, Colorado

Des Moines transit facilities, Iowa

Detroit buses and bus facilities, Michigan

Dothan Wiregrass Transit Authority vehicles and transit facility, Alabama

Dulles Corridor park and ride, Virginia

Duluth, Transit Authority community circulation vehicles, Minnesota

Duluth, Transit Authority intelligent transportation systems, Minnesota

Duluth, Transit Authority Transit Hub, Minnesota

Dutchess County, Loop System buses, New York

El Paso Sun Metro buses, Texas

Elliott Bay Water Taxi ferry purchase, Washington

Erie, Metropolitan Transit Authority buses, Pennsylvania

Escambia County buses and bus facility, Alabama

Essex Junction multimodal station rehabilitation, Vermont

Everett transit bus replacement, Washington

Everett, Multimodal Transportation Center, Washington

Fairbanks intermodal rail/bus transfer facility, Alaska

Fairfield Transit, Solano County buses, California

Fayette County, intermodal facilities and buses, Pennsylvania

Fayetteville, University of Arkansas Transit System buses, Arkansas

Flint buses and bus facilities, Michigan

Florence, University of North Alabama pedestrian walkways, Alabama

Folsom multimodal facility, California

Fort Dodge, Intermodal Facility (Phase II), Iowa

Fort Worth bus and paratransit vehicle project, Texas

Fort Worth Transit Authority Corridor Redevelopment Program, Texas

Franklin County buses and bus facilities, Missouri

Fuel cell bus and bus facilities program, Georgetown University, District/Columbia

Gainesville buses and equipment, Florida

Galveston buses and bus facilities, Texas

Gary, Transit Consortium buses, Indiana

Georgia Regional Transportation Authority buses, Georgia

Georgia statewide buses and bus-related facilities, Georgia

Gloucester intermodal transportation center, Massachusetts

Grand Rapids Area Transit Authority downtown transit transfer center, Michigan

Greensboro multimodal center, North Carolina

Greensboro, Transit Authority buses, North Carolina

Harrison County multimodal center, Mississippi

Hawaii buses and bus facilities

Healdsburg, intermodal facility, California

Hillsborough Area Regional Transity Authority, Ybor buses and bus facilities, Florida

Honolulu, bus facility and buses, Hawaii

Hot Springs, transportation depot and plaza, Arkansas

Houston buses and bus facilities, Texas

Huntington Beach buses and bus facilities, California

Huntington intermodal facility, West Virginia

Huntsville Airport international intermodal center, Alabama

Huntsville Space and Rocket Center intermodal center, Alabama

Huntsville, transit facility, Alabama

Hyannis intermodal transportation center, Massachusetts

I–5 Corridor intermodal transit centers, California

Illinois statewide buses and bus-related equipment, Illinois

Indianapolis buses, Indiana

Inglewood Market Street bus facility/LAX shuttle service, California
Iowa City multi-use parking facility and transit hub, Iowa
Iowa statewide buses and bus facilities, Iowa
Iowa/Illinois Transit Consortium bus safety and security, Iowa
Isabella buses and bus facilities, Michigan
Ithaca intermodal transportation center, New York
Ithaca, TCAT bus technology improvements, New York
Jackson County buses and bus facilities, Missouri
Jackson J-TRAN buses and facilities, Mississippi
Jacksonville buses and bus facilities, Florida
Juneau downtown mass transit facility, Alaska
Kalamazoo downtown bus transfer center, Michigan
Kansas City Area Transit Authority buses and Troost transit center, Missouri
Kansas Public Transit Association buses and bus facilities, Kansas
Killington-Sherburne satellite bus facility, Vermont
King Country Metro King Street Station, Washington
King County Metro Atlantic and Central buses, Washington
King County park and ride expansion, Washington
Lackawanna County Transit System buses, Pennsylvania
Lake Tahoe CNG buses, Nevada
Lake Tahoe/Tahoe Basin buses and bus facilities, California
Lakeland, Citrus Connection transit vehicles and related equipment, Florida
Lane County, Bus Rapid Transit, Oregon
Lansing, CATA buses, Michigan
Las Cruces buses and bus facilities, New Mexico
Las Cruces intermodal transportation plaza, New Mexico
Las Vegas intermodal transit transfer facility, Nevada
Las Vegas South Strip intermodal facility, Nevada
Lincoln County Transit District buses, Oregon
Lincoln Star Tran bus facility, Nebraska
Little Rock River Market and College Station transfer facility, Arkansas
Little Rock, Central Arkansas Transit buses, Arkansas
Livermore Amador Valley Transit Authority buses, California
Livermore automatic vehicle locator program, California
Long Island, CNG transit vehicles and facilities and bus replacement, New York
Los Angeles County Metropolitan transportation authority buses, California
Los Angeles Foothill Transit buses and bus facilities, California
Los Angeles Municipal Transit Operators Coalition, California
Los Angeles, Union Station Gateway Intermodal Transit Center, California
Louisiana statewide buses and bus-related facilities, Louisiana
Lowell performing arts center transit transfer facility, Massachusetts
Lufkin intermodal center, Texas
Maryland statewide alternative fuel buses, Maryland
Maryland statewide bus facilities and buses, Maryland
Mason City Region 2 office and maintenance transit facility, Iowa
Massachusetts Bay Transportation Authority buses, Massachusetts
Merrimack Valley Regional Transit Authority bus facilities, Massachusetts
Miami Beach multimodal transit center, Florida
Miami Beach, electric shuttle service, Florida
Miami-Dade Northeast transit center, Florida
Miami-Dade Transit buses, Florida
Michigan State University campus boarding centers, Michigan
Michigan statewide buses, Michigan
Mid-Columbia Council of Governments minivans, Oregon
Milwaukee County, buses, Wisconsin
Mineola/Hicksville, LIRR intermodal centers, New York
Missoula buses and bus facilities, Montana
Missouri statewide bus and bus facilities, Missouri
Mobile buses, Alabama
Mobile waterfront terminal complex, Alabama
Modesto, bus maintenance facility, California
Monterey, Monterey-Salinas buses, California
Monterey, Monterey-Salinas transit refueling facility, California
Montgomery Moulton Street intermodal center, Alabama
Montgomery Union Station intermodal center and buses, Alabama
Mount Vernon, buses and bus related facilities, Washington
Mukilteo multimodal terminal ferry and transit project, Washington
New Castle County buses and bus facilities, Delaware
New Hampshire statewide transit systems, New Hampshire
New Haven bus facility, Connecticut
New Jersey Transit alternative fuel buses, New Jersey
New Jersey Transit jitney shuttle buses, New Jersey
New Mexico State University park and ride facilities, New Mexico
New York City Midtown West 38th Street Ferry Terminal, New York
New York, West 72nd St. Intermodal Station, New York
Newark Passaic River bridge and arena pedestrian walkway, New Jersey
Newark, Morris & Essex Station access and buses, New Jersey
Niagara Frontier Transportation Authority buses, New York
North Carolina statewide buses and bus facilities, North Carolina
North Dakota statewide buses and bus-related facilities, North Dakota
North San Diego County transit district buses, California
North Star Borough intermodal facility, Alaska
Northern New Mexico Transit Express/Park and Ride buses, New Mexico
Northstar Corridor, Intermodal Facilities and buses, Minnesota
Norwich buses, Connecticut
OATS Transit, Missouri
Ogden Intermodal Center, Utah
Ohio Public Transit Association buses and bus facilities, Ohio
Oklahoma statewide bus facilities and buses, Oklahoma
Olympic Peninsula International Gateway Transportation Center, Washington
Omaha Missouri River transit pedestrian facility, Nebraska
Ontonagon buses and bus facilities, Michigan
Orlando Intermodal Facility, Florida
Orlando, Lynx buses and bus facilities, Florida
Palm Beach County Palmtran buses, Florida
Palmdale multimodal center, California
Park City Intermodal Center, Utah
Pee Dee buses and facilities, South Carolina
Penn's Landing ferry vehicles, Pennsylvania
Pennsylvania Commonwealth combined bus and facilities, Pennsylvania
Perris bus maintenance facility, California
Philadelphia, Frankford Transportation Center, Pennsylvania
Philadelphia, Intermodal 30th Street Station, Pennsylvania
Philadelphia, PHLASH shuttle buses, Pennsylvania
Philadelphia, SEPTA Center City improvements, Pennsylvania
Philadelphia, SEPTA Paoli transportation center, Pennsylvania
Philadelphia, SEPTA Girard Avenue intermodal transportation centers, Pennsylvania
Phoenix bus and bus facilities, Arizona
Pierce County Transit buses and bus facilities, Washington
Pittsfield intermodal center, Massachusetts
Port of Corpus Christi ferry infrastructure and ferry purchase, Texas
Port of St. Bernard intermodal facility, Louisiana
Portland, Tri-Met bus maintenance facility, Oregon
Portland, Tri-Met buses, Oregon
Prince William County bus replacement, Virginia
Providence, buses and bus maintenance facility, Rhode Island
Reading, BARTA Intermodal Transportation Facility, Pennsylvania
Rensselaer intermodal bus facility, New York
Rhode Island Public Transit Authority buses, Rhode Island
Richmond, GRTC bus maintenance facility, Virginia
Riverside Transit Agency buses and facilities, California
Robinson, Towne Center Intermodal Facility, Pennsylvania
Sacramento CNG buses, California
Salem Area Mass Ttransit System buses, Oregon
Salt Lake City hybrid electric vehicle bus purchase, Utah
Salt Lake City International Airport transit parking and transfer center, Utah
Salt Lake City Olympics bus facilities, Utah
Salt Lake City Olympics regional park and ride lots, Utah
Salt Lake City Olympics transit bus loan project, Utah
San Bernardino buses, California
San Bernardino County Mountain area Regional Transit Authority fueling stations, California
San Diego MTD buses and bus facilities, California
San Francisco, Islais Creek maintenance facility, California
San Joaquin buses and bus facilities, Stockton, California
San Juan Intermodal access, Puerto Rico
San Marcos Capital Area Rural Transportation System (CARTS) intermodal project, Texas
Sandy buses, Oregon
Santa Barbara Metropolitan Transit district bus facilities, California
Santa Clara Valley Transportation Authority buses and bus facilities, California
Santa Clarita buses, California
Santa Cruz metropolitan bus facilities, California
Santa Fe CNG buses, New Mexico
Santa Fe paratransit/computer systems, New Mexico
Santa Marie organization of transportation helpers minibuses, California

Savannah/Chatham Area transit bus transfer centers and buses, Georgia
Seattle Sound Transit buses and bus facilities, Washington
Seattle, intermodal transportation terminal, Washington
SMART buses and bus facilities, Michigan
Snohomish County, Community Transit buses, equipment and facilities, Washington
Solano Links intercity transit OTR bus purchase, California
Somerset County bus facilities and buses, Pennsylvania
South Amboy, Regional Intermodal Transportation Initiative, New Jersey
South Bend, Urban Intermodal Transportation Facility, Indiana
South Carolina statewide bus and bus facility.
South Carolina Virtual Transit Enterprise, South Carolina
South Dakota statewide bus facilities and buses, South Dakota
South Metro Area Rapid Transit (SMART) maintenance facility, Oregon
Southeast Missouri transportation service rural, elderly, disabled service, Missouri
Springfield Metro/VRE pedestrian link, Virginia
Springfield, Union Station, Massachusetts
St. Joseph buses and vans, Missouri
St. Louis, Bi-state Intermodal Center, Missouri
St. Louis Bi-state Metro Link buses
Sunset Empire Transit District intermodal transit facility, Oregon
Syracuse CNG buses and facilities, New York
Tacoma Dome, buses and bus facilities, Washington
Tennessee statewide buses and bus facilities, Tennessee
Texas statewide small urban and rural buses, Texas
Topeka Transit offstreet transit transfer center, Kansas
Towamencin Township, Intermodal Bus Transportation Center, Pennsylvania
Transit Authority of Northern Kentucky (TANK) buses, Kentucky
Tucson buses, Arizona
Twin Cities area metro transit buses and bus facilities, Minnesota
Utah Transit Authority buses, Utah
Utah Transit Authority, intermodal facilities, Utah
Utah Transit Authority/Park City Transit, buses, Utah
Utica Union Station, New York
Valley bus and bus facilities, Alabama
Vancouver Clark County (SEATRAN) bus facilities, Washington
Washington County intermodal facilities, Pennsylvania
Washington State DOT combined small transit system buses and bus facilities, Washington
Washington, D.C. Intermodal Transportation Center, District/Columbia
Washoe County transit improvements, Nevada
Waterbury, bus facility, Connecticut
West Falls Church Metro station improvements, Virginia
West Lafayette bus transfer station/terminal (Wabash Landing), Indiana
West Virginia Statewide Intermodal Facility and buses, West Virginia
Westchester County DOT, articulated buses, New York
Westchester County, Bee-Line transit system fareboxes, New York
Westchester County, Bee-Line transit system shuttle buses, New York
Westminster senior citizen vans, California
Westmoreland County, Intermodal Facility, Pennsylvania
Whittier intermodal facility and pedestrian overpass, Alaska
Wilkes-Barre, Intermodal Facility, Pennsylvania
Williamsport bus facility, Pennsylvania
Wisconsin statewide bus facilities and buses, Wisconsin
Worcester, Union Station Intermodal Transportation Center, Massachusetts
Yuma paratransit buses, Arizona:

Provided further, That within the total funds provided for new fixed guideway systems to carry out 49 U.S.C. section 5309, the following projects shall be considered eligible for these funds: *Provided further,* That the Administrator of the Federal Transit Administration shall, not later than 60 days after the enactment of this Act, individually submit to the House and Senate Committees on Appropriations the recommended grant funding levels for the respective projects.

The following new fixed guideway systems and extensions to existing systems are eligible to receive funding for final design and construction:

Alaska or Hawaii ferries;
Albuquerque/Greater Albuquerque mass transit project;
Atlanta North Line Extension;
Austin Capital Metro Northwest/North Central Corridor project;
Baltimore Central Light Rail double tracking project;
Boston North-South Rail Link;
Boston Piers Transitway phase 1;
Charlotte North-South corridor transitway project;
Chicago Metra commuter rail extensions;
Chicago Transit Authority Ravenswood and Douglas branch line projects;
Cleveland Euclid Corridor;
Dallas Area Rapid Transit North Central LRT extension;
Dane County, WI commuter rail project;
Denver Southeast Corridor project;
Denver Southwest LRT project;
Fort Lauderdale Tri-Rail commuter rail project;
Galveston rail trolley extension project;
Houston Regional Bus Plan;
Lahaina Harbor, Maui ferries;
Las Vegas Corridor/Clark County regional fixed guideway project;
Little Rock River Rail project;
Long Island Rail Road East Side Access project;
Los Angeles Metro Rail—MOS 3 and Eastside/Mid City corridors;
MARC expansion programs: Silver Spring intermodal center and Penn-Camden rail connection;
Memphis Area Transit Authority medical center extension;
Miami East-West Corridor project;
Miami North 27th Avenue corridor;
New Orleans Airport-CBD commuter rail project;
New Orleans Canal Streetcar Spine;
New Orleans Desire Streetcar;
Newark-Elizabeth rail link project;
Norfolk-Virginia Beach Corridor project;
Northern New Jersey—Hudson-Bergen LRT project;
Orange County Transitway project;
Orlando I–4 Central Florida LRT project;
Philadelphia Schuykill Valley Metro;
Phoenix—Central Phoenix/East Valley Corridor;
Pittsburgh Airborne Shuttle System;
Pittsburgh North Shore—Central Business District corridor;
Pittsburgh State II light rail project;
Port McKenzie-Ship Creek, AK ferry project;
Portland Westside-Hillsboro Corridor project;
Providence-Boston commuter rail;
Raleigh-Durham—Research Triangle regional rail;
Sacramento South Corridor LRT project;
Salt Lake City South LRT Olympics capacity improvements;
Salt Lake City South LRT project;
Salt Lake City/Airport to University (West-East) light rail project;
Salt Lake City-Ogden-Provo commuter rail project;
San Bernardino MetroLink extension project;
San Diego Mid Coast Corridor;
San Diego Mission Valley East LRT extension project;
San Diego Oceanside-Escondido passenger rail project;
San Francisco BART to Airport extension;
San Jose Tasman LRT project;
San Juan—Tren Urbano;
Seattle Sound Move Link LRT project;
Spokane South Valley Corridor light rail project;
St. Louis—St. Clair County, Illinois LRT project;
Tacoma-Seattle Sounder commuter rail project;
Tampa Bay regional rail system; and the
Twin Cities Transitways Corridors projects.

The following new fixed guideway systems and extensions to existing systems are eligible to receive funding for alternatives analysis and preliminary engineering:

Atlanta—Lindbergh Station to MARTA West Line feasibility study;
Atlanta MARTA South DeKalb comprehensive transit program;
Baltimore Central Downtown MIS;
Bergen County, NJ/Cross County light rail project;
Birmingham, Alabama transit corridor;
Boston North Shore Corridor and Blue Line extension to Beverly;
Boston Urban Ring project;
Bridgeport Intermodal Corridor project, Connecticut;
Calais, ME Branch Rail Line regional transit program;
Charleston, SC Monobeam corridor project;
Cincinnati Northeast/Northern Kentucky rail line project;
Colorado—Roaring Fork Valley Rail;
Detroit—commuter rail to Detroit metropolitan airport feasibility study;
El Paso—Juarez international fixed guideway;
Girdwood, Alaska commuter rail project;
Harrisburg-Lancaster Capitol Area Transit Corridor 1 commuter rail;
Houston Advanced Transit Program;
Indianapolis Northeast Downtown Corridor project;
Jacksonville fixed guideway corridor;
Johnson County, Kansas I–35 commuter rail project;
Kenosha-Racine-Milwaukee rail extension project;
Knoxville to Memphis commuter rail feasibility study;
Los Angeles/City of Sepulveda Douglas Street Green Line connection;
Miami Metrorail Palmetto extension;
Montpelier-St. Albans, VT commuter rail study;
Nashua, NY-Lowell, MA commuter rail project;
New Jersey Trans-Hudson midtown corridor study;
New London waterfront access project;
New York Second Avenue Subway feasibility study;
Northern Indiana South Shore commuter rail project;
Old Saybrook—Hartford Rail Extension;
Philadelphia SEPTA commuter rail, R–3 connection—Elwyn to Wawa;
Philadelphia SEPTA Cross County Metro;

Salt Lake City light rail extensions;
Santa Fe/El Dorado rail link;
Stamford fixed guideway connector;
Stockton Altamont Commuter Rail;
Virginia Railway Express Woodbridge transit access station improvements project;
Washington, D.C. Dulles Corridor extension project;
Washington Metro Blue Line extension—Addison Road;
Western Montana regional transportation/commuter rail study; and the
Wilsonville to Washington County, OR connection to Westside.

DISCRETIONARY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND, MASS TRANSIT ACCOUNT)

Notwithstanding any other provision of law, for payment of previous obligations incurred in carrying out 49 U.S.C. 5338(b), $1,500,000,000, to remain available until expended and to be derived from the Mass Transit Account of the Highway Trust Fund.

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $15,000,000, to remain available until expended: *Provided*, That no more than $75,000,000 of budget authority shall be available for these purposes.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $11,496,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $30,752,000, of which $575,000 shall be derived from the Pipeline Safety Fund, and of which $3,500,000 shall remain available until September 30, 2002: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $36,104,000, of which $4,704,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2002; and of which $30,000,000 shall be derived from the Pipeline Safety Fund, of which $16,500,000 shall remain available until September 30, 2001: *Provided*, That in addition to amounts made available for the Pipeline Safety Fund, $1,400,000 shall be available for grants to States for the development and establishment of one-call notification systems and public education activities, and shall be derived from amounts previously collected under 49 U.S.C. 60301.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2002: *Provided*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $48,000,000, of which $43,000,000 shall be derived from transfers of funds from the United States Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, and the Federal Transit Administration.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $15,400,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,600,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That any fees received in excess of $1,600,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $4,500,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $51,500,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $1,000,000, to remain available until expended.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available: (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents; and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized

under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 2000, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, and amounts authorized for the highway use tax evasion program and the Bureau of Transportation Statistics.

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the previous fiscal year the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 117 of title 23, United States Code (relating to high priority projects program), section 201 of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1995, and $2,000,000,000 for such fiscal year under section 105 of the Transportation Equity Act for the 21st Century (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under section 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century; and (8) under section 105 of title 23, United States Code (but, only in an amount equal to $639,000,000 for such fiscal year).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1943–1945).

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapters 3 and 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and chapter 4 of title 23, United States Code, and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for a section set forth in subsection (a)(4) shall remain available until used for obligation of funds for such section and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

SEC. 311. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that: (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract; (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability; or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 317. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2002, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1999, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $60,000,000, which limits fiscal year 2000 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $169,953,000: *Provided,* That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 320. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's Federal aid-highway account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 321. Notwithstanding any other provision of law, no state shall receive more than 12.5 percent of the total budget resources made available by this Act to carry out 49 U.S.C. 5307, 5309, 5310 and 5311: *Provided,* That for purposes of this calculation the Federal Transit Administration shall include the appropriate state distribution of the funding provided to urbanized areas: *Provided further,* That the amounts recovered from such reductions shall be distributed equally: *Provided further,* That such reductions and increases shall be made only to the formula apportionments.

SEC. 322. Section 3021 of Public Law 105–178 is amended—

(1) in subsection (a)—

(a) in the first sentence, by striking ''single-State'';

(b) in the second sentence, by striking ''Any'' and all that follows through ''United States Code'' and inserting ''The funds made available to the State of Oklahoma and the State of Vermont to carry out sections 5307 and 5311 of title 49, United States Code and sections 133 and 149 of title 23, United States Code''; and

(2) by adding at the end of section 3021, the following new subsection (c)—

''(c) GRANT REQUIREMENTS.—Notwithstanding any other provision of law, the Amtrak employees employed in the railroad passenger service authorized by this section shall be afforded the same labor protections afforded other Amtrak employees under the terms of their employment contracts.''.

SEC. 323. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided,* That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 324. Not to exceed $1,000,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees: *Provided,* That this limitation shall not apply to advisory committees established for the purpose of conducting negotiated rulemaking in accordance with the Negotiated Rulemaking Act, 5 U.S.C. 561–570a, or the Coast Guard's advisory council on roles and missions.

SEC. 325. No funds other than those appropriated to the Surface Transportation Board or fees collected by the Board shall be used for conducting the activities of the Board.

SEC. 326. Hereafter, notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 327. Capital Investment grants funds made available in this Act and in Public Law 105–277 and in Public Law 105–66 and its accompanying conference report for the Charleston, South Carolina Monobeam corridor project shall be used to fund any aspect of the Charleston, South Carolina Monobeam corridor project.

SEC. 328. Hereafter, notwithstanding 49 U.S.C. 41742, no essential air service subsidies shall be provided to communities in the 48 contiguous States that are located fewer than 70 highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than 210 miles from the nearest large or medium hub airport.

SEC. 329. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 2000.

SEC. 330. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 331. For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105–134, $950,000, to remain available until September 30, 2001: *Provided,* That the duties of the Amtrak Reform Council described in section 203(g)(1) of Public Law 105–134 shall include the identification of Amtrak routes which are candidates for closure or realignment, based on performance rankings developed by Amtrak which incorporate information on each route's fully allocated costs and ridership on core intercity passenger service, and which assume, for purposes of closure or realignment candidate identification, that federal subsidies for Amtrak will decline over the 4-year period from fiscal year 1999 to fiscal year 2002: *Provided further,* That these closure or realignment recommendations shall be included in the Amtrak Reform Council's annual report to the Congress required by section 203(h) of Public Law 105–134.

SEC. 332. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided,* That no appropriation shall be increased or decreased by more than 12 per centum by all such transfers: *Provided further,* That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 333. None of the Funds made available under this Act or any other Act, may be used to implement, carry out, or enforce any regulation issued under section 41705 of title 49, United States Code, including any regulation contained in part 382 of title 14, Code of Federal Regulations, or any other provision of law (including any Act of Congress, regulation, or Executive order or any official guidance or correspondence thereto), that requires or encourages an air carrier (as that term is defined in section 40102 of title 49, United States Code) to, on intrastate or interstate air transportation (as those terms are defined in section 40102 of title 49, United States Code)—

(1) provide a peanut-free buffer zone or any other related peanut-restricted area; or

(2) restrict the distribution of peanuts,

until 90 days after submission to the Congress and the Secretary of a peer-reviewed scientific study that determines that there are severe reactions by passengers to peanuts as a result of contact with very small airborne peanut particles of the kind that passengers might encounter in an aircraft.

SEC. 334. For purposes of funding in this Act for the Salt Lake City/Airport to University (West-East) light rail project, the nongovernmental share for these funds shall be determined in accordance with Section 3030(c)(2)(B)(ii) of the Transportation Equity Act for the 21st Century, as amended (Public Law 105–178).

SEC. 335. Section 5309(g)(1)(B) of title 49, United States Code, is amended by inserting after ''Committee on Banking, Housing, and Urban Affairs of the Senate'' the following: ''and the House and Senate Committees on Appropriations''.

SEC. 336. Section 1212(g) of the Transportation Equity Act for the 21st Century (Public Law 105–178), as amended, is amended—

(1) in the subsection heading, by inserting ''and New Jersey'' after ''Minnesota''; and

(2) by inserting ''or the State of New Jersey'' after ''Minnesota''.

SEC. 337. The Secretary of Transportation shall execute a demonstration program, to be conducted for a period not to exceed eighteen months, of the ''fractional ownership'' concept in performing administrative support flight missions, the purpose of which would be to determine whether cost savings, as well as increased operational flexibility and aircraft availability, can be realized through the use by the government of the commercial fractional ownership concept or report to the Committee the reason for not conducting such an evaluation: *Provided,* That the Secretary shall ensure the competitive selection for this demonstration of a fractional ownership concept which provides a suite of aircraft capable of meeting the Department's varied needs, and that the Secretary shall ensure the demonstration program encompasses a significant and representative portion of the Department's administrative support missions (to include those performed by the Coast Guard, the Federal Aviation Administration, and the National Aeronautics and Space Administration, whose aircraft are currently operated by the FAA): *Provided further,* That the Secretary shall report to the House and Senate Committees on Appropriations on results of this evaluation of the fractional ownership concept in the performance of the administrative support mission no later than twenty-four months after final passage of this Act or within 60 days of enactment of this Act if the Secretary decides not to conduct such a demonstration for evaluation including an explanation for such a decision.

SEC. 338. (a) REQUIREMENT TO CONVEY.—The Commandant of the Coast Guard shall convey, without consideration, to the University of New Hampshire (in this section referred to as the ''University'') all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) located in New Castle,

New Hampshire, consisting of approximately five acres and including a pier.

(b) IDENTIFICATION OF PROPERTY.—The Commandant shall determine, identify, and describe the property to be conveyed under this section.

(c) EASEMENTS, RIGHTS-OF-WAY, AND RIGHTS.—(1) The Commandant shall, in connection with the conveyance required by subsection (a), grant to the University such easements and rights-of-way as the Commandant considers necessary to permit access to the property conveyed under that subsection.

(2) The Commandant shall, in connection with such conveyance, reserve in favor of the United States such easements and rights as the Commandant considers necessary to protect the interests of the United States, including easements or rights regarding access to property and utilities.

(d) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the following conditions:

(1) That the University not convey, assign, exchange, or encumber the property conveyed, or any part thereof, unless such conveyance, assignment, exchange, or encumbrance—

(A) is made without consideration; or

(B) is otherwise approved by the Commandant.

(2) That the University not interfere or allow interference in any manner with the maintenance or operation of Coast Guard Station Portsmouth Harbor, New Hampshire, without the express written permission of the Commandant.

(3) That the University use the property for educational, research, or other public purposes.

(e) MAINTENANCE OF PROPERTY.—The University, or any subsequent owner of the property conveyed under subsection (a) pursuant to a conveyance, assignment, or exchange referred to in subsection (d)(1), shall maintain the property in a proper, substantial, and workmanlike manner, and in accordance with any conditions established by the Commandant, pursuant to the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), and other applicable laws.

(f) REVERSIONARY INTEREST.—All right, title, and interest in and to the property conveyed under this section (including any improvements thereon) shall revert to the United States, and the United States shall have the right of immediate entry thereon, if—

(1) the property, or any part thereof, ceases to be used for educational, research, or other public purposes by the University;

(2) the University conveys, assigns, exchanges, or encumbers the property conveyed, or part thereof, for consideration or without the approval of the Commandant;

(3) the Commandant notifies the owner of the property that the property is needed the national security purposes and a period of 30 days elapses after such notice; or

(4) any other term or condition established by the Commandant under this section with respect to the property is violated.

SEC. 339. (a) PROHIBITION.—Except as provided in subsection (c), no recipient of funds made available under this Act may sell, or otherwise provide to another person or entity, personal information (as defined in 18 U.S.C. Section 2725(3)) contained in a driver's license, or in any motor vehicle record (as defined in 18 U.S.C. Section 2725(1)) without the express written consent of the individual to whom the information pertains.

(b) CONSENT.—No recipient of funds made available under this Act may condition or burden in any way the issuance of a motor vehicle record (as defined in 19 U.S.C. Section 2725(1)) upon the receipt of consent described in subsection (a).

(c) LAW ENFORCEMENT.—Subsection (a) does not apply to a law enforcement agency in any case in which the application of that subsection would hinder the ability of that law enforcement agency, acting in accordance with applicable law, to gain access to a driver's license or photograph of an individual.

SEC. 340. Notwithstanding any other provision of law, from funds provided in the Act, $10,000,000 shall be made available for completion of the National Advanced Driving Simulator (NADS).

SEC. 341. Notwithstanding any other provision of law, section 1107(b) of Public Law 102–240 is amended by striking ''Construction of a replacement bridge at Watervale Bridge #63, Harford County, MD'' and inserting in lieu thereof the following: ''For improvements to Bottom Road Bridge, Vinegar Hill Road Bridge and Southampton Road Bridge, Harford County, MD''.

This Act may be cited as the ''Department of Transportation and Related Agencies Appropriations Act, 2000''.

WYDEN (AND OTHERS) AMENDMENTS NOS. 1625–1626

Mr. WYDEN (for himself and Mr. LAUTENBERG, and Mr. SHELBY) proposed two amendments to the bill, H.R. 2084, supra; as follows:

AMENDMENT NO. 1625

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided,* That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents: *Provided further,* That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technolgically infeasible''.

AMENDMENT NO. 1626

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided,* That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further,* That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communication''.

COVERDELL (AND CLELAND) AMENDMENT NO. 1627

(Ordered to lie on the table.)

Mr. COVERDELL (for himself and Mr. CLELAND) submitted an amendment intended to be proposed by them to the bill, H.R. 2084, supra; as follows:

On page 91, between lines 9 and 10, insert the following:

SEC. 3___. NOISE BARRIERS, GEORGIA.

(a) USE OF APPORTIONED FUNDS.—Notwithstanding any other provision of law, the Secretary of Transportation shall approve the use of funds apportioned under paragraphs (1) and (3) of section 104(b) of title 23, United States Code, for construction of Type II noise barriers at the locations identified in section 1215(h) and item 967 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 211, 292).

(b) AMENDMENT OF THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY.—The Transportation Equity Act for the 21st Century is amended—

(1) in section 1215(h) (112 Stat. 211), by striking ''west side'' and inserting ''east and west sides''; and

(2) in item 967 of the table contained in section 1602 (112 Stat. 292), by striking ''west side'' and inserting ''east and west sides''.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

DORGAN AMENDMENT NO. 1628

Mr. BYRD (for Mr. DORGAN) proposed an amendment to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 132, between lines 20 and 21, insert the following:

SEC. 3___. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION.

(a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''national forests'' and inserting ''National Forest System land'';

(B) in paragraph (4), by striking ''the national forests'' and inserting ''National Forest System land'';

(C) in paragraph (5), by striking ''forest resources'' and inserting ''natural resources''; and

(D) in paragraph (6), by striking ''national forest resources'' and inserting ''National Forest System land resources''; and

(2) in subsection (b)(1)—

(A) by striking ''national forests'' and inserting ''National Forest System land''; and

(B) by striking ''forest resources'' and inserting ''natural resources''.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking ''forestry'' and inserting ''natural resources''.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking ''forestry'' and inserting ''natural resources''; and

(2) in the second and third sentences, by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking ''forest resources'' and inserting ''natural resources''; and

(2) by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

GORTON AMENDMENTS NOS. 1629–1630

Mr. GORTON proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1629

On page 14, line 6, strike ''(22 U.S.C. aa–1)'' and insert ''(22 U.S.C. 2799aa–1)''.

AMENDMENT NO. 1630

Insert at the end of Title III in H.R. 2466:

SEC. . INTERSTATE 90 LAND EXCHANGE.

(a) Section 604(a) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. L. 277, 12 Stat. 2681–326 (1998) is hereby amended by adding at the end of the first sentence: ''except title to offered lands and interests in lands described in section 605(c)(2)(Q, R, S, and T) must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a three year period beginning on the later of the date of enactment of this Act or consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld.''

(b) Section 604(b) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. Law 277, 12 Stat. 2681–326 (1998), is hereby amended by inserting after the words ''offered land'' the following: ''as provided in section 604(a), and placement in escrow of acceptable title to the offered lands described in section 605(c)(2) (Q, R, S, and T).''

(c) Section 604(b) is further amended by adding the following at the end of the first sentence: ''except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., W½W½ of Section 16, which shall be retained by the United States.'' The appraisal approved by the Secretary of Agriculture on July 14, 1999 (the ''Appraisal'') shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4 and Township 20 North, Range 10 East, W.M., Section 32 during the Appraisal process in the context of the whole estate to be conveyed.

(d) After adjustment of the Appraisal, the values of the offered and selected lands, including the offered lands held in escrow, shall be equalized as provided in section 605(c) except that the Secretary also may equalize values through the following, including any combination thereof:

(1) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(2) to the extent sufficient acceptable lands are not available pursuant to paragraph (1) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

(e) The Secretary shall promptly seek to identify lands acceptable for conveyance to equalize values under paragraph (1) of subsection (d) and shall, not later than May 1, 2000, provide a report to Congress outlining the results of such efforts.

(f) As funds or lands are provided to Plum Creek by the Secretary; Plum Creek shall release to the United States deeds for lands and interests in land held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the exact reverse order listed in section 605(c)(2).

(g) Section 606(d) is hereby amended to read as follows: ''the Secretary and Plum Creek shall make the adjustments directed in section 604(b) and consummate the land exchange within 30 days of enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date.''

SEC. . THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999.

(a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled ''Snoqualmie National Forest 1999 Boundary Adjustment'' dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundary of the Snoqualmie National Forest, as adjusted by this subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

KYL AMENDMENT NO. 1631

Mr. GORTON (for Mr. KYL) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 33, line 18, after the period, insert the following: ''Funds made available under this Act may be used to fund a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)) that shares a campus with a school that offers expanded grades and that is not a Bureau-funded school, if the jointly incurred costs of both schools are apportioned between the 2 programs of the schools in such manner as to ensure that the expanded grades are funded solely from funds that are not made available through the Bureau.''.

REID AMENDMENT NOS. 1632–1633

Mr. BYRD (for Mr. REID) proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1632

At the end of title I, insert the following:

SECTION 1. CONVEYANCE TO NYE COUNTY, NEVADA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means Nye County, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—For no consideration and at no other cost to the County, the Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S. R. 49 E, Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W ½ W ½ NW ¼.

(ii) The portion of the W ½ W ½ SW ¼ north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(b) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E ½ NW ¼.

(B)E ½ W ½ NW ¼.

(C) The portion of the E ½ SW ¼ north of United States Route 95.

(D) The portion of the E ½ W ½ SW ¼ north of United States Route 95.

(E) The portion of the SE ¼ north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

AMENDMENT NO. 1633

At the end of title I, insert the following:

SEC. ___. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA.

Section 3 of Public Law 99–548 (100 Stat. 3061; 110 Stat. 3009–202) is amended by adding at the end the following:

''(e) FIFTH AREA.—

''(1) RIGHT TO PURCHASE.—For a period of 12 years after the date of enactment of this Act, the city of Mesquite, Nevada, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 27 north of Interstate Route 15.

''(ii) Sec. 28: NE ¼, S ½ (except the Interstate Route 15 right-of-way).

''(iii) Sec. 29: E ½ NE ¼ SE ¼, SE ¼ SE ¼.

''(iv) The portion of sec. 30 south of Interstate Route 15.

''(v) The portion of sec. 31 south of Interstate Route 15.

''(vi) Sec. 32: NE ¼ NE ¼ (except the Interstate Route 15 right-of-way), the portion of NW ¼ NE ¼ south of Interstate Route 15, and the portion of W ½ south of Interstate Route 15.

''(vii) The portion of sec. 33 north of Interstate Route 15.

''(B) In T. 14 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 5: NW ¼.

''(ii) Sec. 6: N ½.

''(C) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 25 south of Interstate Route 15.

''(ii) The portion of sec. 26 south of Interstate Route 15.

''(iii) The portion of sec. 27 south of Interstate Route 15.

''(iv) Sec. 28: SW ¼ SE ¼.

''(v) Sec. 33: E ½.

''(vi) Sec. 34.

''(vii) Sec. 35.

''(viii) Sec. 36.

''(3) NOTIFICATION.—Not later than 10 years after the date of enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

''(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

''(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

''(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

''(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

''(B) shall be available for use by the Secretary—

''(i) to reimburse costs incurred by the local offices of the Bureau of Land Managment in arranging the land conveyances directed by this Act; and

''(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

''(f) SIXTH AREA.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall convey to the city of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 28 south of Interstate Route 15 (except S ½ SE ¼).

''(ii) The portion of sec. 29 south of Interstate Route 15.

''(iii) The portion of sec. 30 south of Interstate Route 15.

''(iv) The portion of sec. 31 south of Interstate Route 15.

''(v) Sec. 32.

''(vi) Sec. 33: W ½.

''(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 4.

''(ii) Sec. 5.

''(iii) Sec. 6.

''(iv) Sec. 8.

''(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 1.

''(ii) Sec. 12.

''(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.''.

LUGAR AMENDMENT NO. 1634

Mr. GORTON (for Mr. LUGAR) proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title III, insert the following:

SEC. . Section 1770(d) of the Food Security Act of 1985 (7 U.S.C.. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));''.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 1635

Mr. GORTON (for Mr. MURKOWSKI (for himself, Mr. BINGAMAN, and Mr. COCHRAN)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

Insert at the end of Title III the following new section:

''SEC. . None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof, including, but not limited to, the existing statutory mandate that life-cycle cost effective measures be undertaken at federal facilities to save energy and reduce the operational expenditures of the government.''.

BREAUX (AND LANDRIEU) AMENDMENT NO. 1636

Mr. BYRD (for Mr. BREAUX (for himself and Ms. LANDRIEU)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 12, line 12, before the final period, insert the following: '': *Provided further*, That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and through fiscal year 2000, for site-specific damages to National Wildlife Refugee System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources''.

GORTON (AND OTHERS) AMENDMENT NO. 1637

Mr. GORTON (for himself, Mr. LEVIN, and Mr. DEWINE), proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 15, strike ''$683,519,000'' and insert ''$684,019,000''.

On page 10, line 16, after ''herein,'' insert the following: ''of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $300,000 shall be available for spartina grass research being conducted by the University of Washington, and''.

JEFFORDS AMENDMENT NO. 1638

Mr. GORTON (for Mr. JEFFORDS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 78, line 16, strike ''$682,817,000'' and insert ''684,817,000''.

On page 78, line 19, strike ''$166,000,000'' and insert ''$168,000,000.''

On page 78, line 24, strike ''$133,000,000'' and insert ''$135,000,000.''

CRAPO (AND OTHERS) AMENDMENT NO. 1639

Mr. GORTON (for Mr. CRAPO (for himself, Mr. BURNS, Mr. BAUCUS, and Mr. CRAIG)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 16, after ''herein,'' insert ''of which $500,000 of the amount available for consultation shall be available for development of a voluntary-enrollment habitat conservation plan for cold water fish in cooperation with the States of Idaho and Montana (of which $250,000 shall be made available to each of the States of Idaho and Montana), and''.

BINGAMAN AMENDMENTS NOS. 1640–1641

Mr. BYRD (for Mr. BINGAMAN) proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1640

On page 27, line 22, strike ''$1,631,996,000'' and insert ''$1,632,596,000''.

On page 29, line 10, after ''2002'' insert '': *Provided further*, That from amounts appropriated under this heading $5,422,000 shall be made available to the Southwestern Indian Polytechnic Institute and that from amounts appropriated under this heading $8,611,000 shall be made available to Haskell Indian Nations University''.

On page 62, between lines 3 and 4, insert the following:

SEC. . BIA POST SECONDARY SCHOOLS FUNDING FORMULA.

(a) IN GENERAL.—Any funds appropriated for Bureau of Indian Affairs Operations for Central Office Operations for Post Secondary Schools for any fiscal year that exceed the amount appropriated for the schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Post Secondary Funding Formula adopted by the Office of Indian Education Programs and the schools on May 13, 1999.

(b) APPLICABILITY.—This section shall apply for fiscal year 2000 and each succeeding fiscal year.

AMENDMENT NO. 1641

At the appropriate place, insert the following new section:

SEC. . YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS.

(a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, in order to increase the number of summer jobs available for youth, ages 15 through 22, on Federal lands:

(3) $4,000,000 of the funds available to the Forest Service under this Act; and

(4) * * * of the funds available to the Bureau of Land Management under this Act.

(b) Within six months after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following:

(i) the number of youth, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corps, the Public Land Corps, or a related partnership with a State, local, or nonprofit youth conservation corps or other entity such as the Student Conservation Association;

(ii) a description of the different types of work accomplished by youth during the summer of 1999;

(iii) identification of any problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(iv) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(v) an analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

ABRAHAM (AND OTHERS) AMENDMENT NO. 1642

Mr. GORTON (for Mr. ABRAHAM (for himself, Mr. HATCH, Mr. THOMAS, Mr. GRAMS, Mr. CRAIG, Mr. MURKOWSKI, Mr. REID, and Mr. DORGAN)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 5, line 13, strike ''$130,000,000,'' and insert ''$135,000,000''.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 1643

Mr. GORTON (for Mr. MURKOWSKI (for himself, Mr. LAUTENBERG, Mrs. BOXER, Mr. ROTH, Mr. DODD, Ms. LANDRIEU, Mr. CHAFEE, Mr. SESSIONS, Mrs. LINCOLN, Mr. LEAHY, Mr. KERRY, Mr. FEINGOLD, Mr. FRIST, Mr. GRAHAM, Ms. COLLINS, Mr. SMITH of New Hampshire, Mr. GREGG, Mr. MOYNIHAN, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Mr. AKAKA, and Mrs. FEINSTEIN) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 18, line 19 strike ''program.'' and insert ''program, and in addition $20,000,000 shall be available to provide financial assistance to States and shall be derived from the Land and Water Conservation Fund.

STEVENS AMENDMENT NO. 1644

Mr. GORTON (for Mr. STEVENS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 19, strike ''$221,093,000'' and insert in lieu thereof ''$216,153,000''.

On page 82, line 13, strike ''$2,135,561,000'' and insert in lieu thereof ''$2,138,001,000''.

On page 90, line 3, strike ''$364,562,000'' and insert in lieu thereof ''$367,062,000''.

BINGAMAN AMENDMENT NO. 1645

Mr. BYRD (for Mr. BINGAMAN) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 78, line 17, insert after the comma ''of which $1.6 million shall be for grants to municipal governments for cost-shared research projects in buildings, municipal processes, transportation and sustainable urban energy systems, and''.

BYRD AMENDMENT NO. 1646

Mr. BYRD proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22, strike ''$4,000,000'' and insert ''$5,000,000.''

GORTON AMENDMENT NO. 1647

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 63, line 6, strike the period and insert in lieu thereof the following: '': *Provided*, That of the amount provided under this heading, $750,000 shall be used for a supplemental environmental impact statement for the Forest Service/Weyerhaeuser Huckleberry land exchange, which shall be completed by September 30, 2000.''

REID AMENDMENT NO. 1648

Mr. BYRD (for Mr. REID) proposed an amendment to the bill, H.R. 2466, supra; as follows:

Starting on page 60, line 20 and continuing through page 62, line 3, strike SEC. 129 in its entirety and insert

''SEC. 129. WALKER RIVER BASIN. $200,000 is appropriated to the U.S. Fish and Wildlife Service in FY 2000 to be used through a contract or memorandum of understanding with the Bureau of Reclamation, for: (1) the investigation of alternatives, and if appropriate, the implementation of one or more of the alternatives, to the modification of Weber Dam on the Walker River Paiute Reservation in Nevada; (2) an evaluation of the feasibility and effectiveness of the installation of a fish ladder at Weber Dam; and (3) an evaluation of opportunities for Lahontan Cutthroat Trout restoration in the Walker River Basin. $125,000 is appropriated to the Bureau of Indian Affairs in Fiscal Year 2000 for the benefit of the Walker River Paiute Tribe, in recognition of the negative effects on the Tribe associated with delay in modification of Weber Dam, for an analysis of the feasibility of establishing a Tribally-operated Lahontan cutthroat trout hatchery on the Walker River as it flows through the Walker River Indian Reservation: *Provided*, That for the purposes of this section: (i) $100,000 shall be transferred from the $250,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Truckee River Water Quality Settlement Agreement; (ii) $50,000 shall be transferred from the $150,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Las Vegas Wash endocrine disruption study; and (iii) $175,000 shall be transferred from the funds allocated for the Bureau of Land Management, Wildland Fire Management.''

STEVENS AMENDMENT NO. 1649

Mr. GORTON (for Mr. STEVENS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 76, line 12 of the bill, insert the following before the paragraph beginning with the word ''Of'': ''From any unobligated balances available at the start of fiscal year 2000, the amount of $11,550,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a three year timber supply.''

LOTT AMENDMENT NO. 1650

Mr. GORTON (for Mr. LOTT) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22, before the colon, insert the following: '', and of which not less than $1,000,000 shall be available, subject to an Act of authorization, to conduct a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail, and''.

GRAMS (AND WELLSTONE) AMENDMENT NO. 1651

Mr. GORTON (for Mr. GRAMS (for himself and Mr. WELLSTONE)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title I, insert the following:

SEC. II. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–14, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696, U.S.C., 460 zz.

KERREY AMENDMENT NO. 1652

Mr. BYRD (for Mr. Kerrey) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 13, line 9, after the word ''expended'' include: ''of which to exceed $1,000,000 shall be available to the Boyer Chute National Wildlife Refuge for land acquisition.''

On page 13, line 8; strike ''$55,244,000'' and insert ''56,244,000''.

BOND AMENDMENT NO. 1653

Mr. GORTON (for Mr. BOND) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22 insert before the colon the following: '', of which $500,000 shall be available for the Wilson's Creek National Battlefield,''.

HOLLINGS AMENDMENT NO. 1654

Mr. BYRD (for Mr. HOLLINGS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 18, line 19 before the period insert the following: ''and of which $200,000 shall be available for the acquisition of lands at Fort Sumter National Monument''.

ABRAHAM AMENDMENT NO. 1655

Mr. GORTON (for Mr. ABRAHAM) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 16, after ''herein,'' insert ''of which $150,000 shall be available to Michigan State University toward creation of a community development database, and''.

WARNER AMENDMENT NO. 1656

Mr. GORTON (for Mr. WARNER) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 24, at the end of line 10 insert the following before the comma: ''*Provided further*, That not to exceed $198,000 shall be available to carry out the requirements of Section 215(b)(2) of the Water Resources Development Act of 1999''.

GORTON AMENDMENT NO 1657

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title III of the bill, add the following:

SEC. . Each amount of budget authority for the fiscal year ending September 30, 2000, provided in this Act for payments not required by law, is hereby reduced by .34 percent: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.''

NOTICE OF HEARING

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Subcommittee on Public Health, Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, September 16, 1999, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Children's Health. For further information, please call the committee, 202/224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Tuesday, September 14, 1999, in open session, to receive testimony concerning the sinking of the U.S.S. *Indianapolis* and the subsequent court-martial of Rear Admiral Charles B. McVay III, USN.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, September 14, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on S. 1052, the Northern Marianas Island Covenant Implementation Act.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on ''Education Readiness'' during the session of the Senate on Tuesday, September 14, 1999, at 10:00 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President, the Committee on the Judiciary requests unanimous consent to conduct a hearing on Tuesday, September 14, 1999 beginning at 10:00 a.m. in Room 226 Dirksen.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President. The Committee on the Judiciary requests unanimous consent to conduct a hearing on Tuesday, September 14, 1999 beginning at 2:00 p.m. in Room 226 Dirksen.

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

COMMITTEE ON SMALL BUSINESS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled ''Slotting: Fair for Small Business & Consumers?'' The hearing will be held on Tuesday, September 14, 1999, beginning at 9:30 a.m. in room 608 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION, AND REGULATION

Mr. COVERDELL. Mr. President I ask unanimous consent that the Subcommittee on Energy Research, Development, Production, and Regulation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, September 14, for purposes of conducting a subcommittee hearing, which is scheduled to begin immediately after the full committee hearing. The purpose of this hearing is to receive testimony on S. 1051, a bill to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively, and for other purposes.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 14, 1999, at 9:00 am to hold a hearing.

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

ADDITIONAL STATEMENTS

MURRAY B. LIGHT, EDITOR OF THE BUFFALO NEWS

• Mr. MOYNIHAN. Mr. President, Murray B. Light will end his career in journalism on September 19th, the 50th anniversary of his first day at The Buffalo News. Throughout his long and outstanding tenure at The News, he has had a profound influence on Buffalo and Western New York. He will be greatly missed.

Murray and I have been friends for many years. On one occasion, during my first term, Murray was kind enough to loan me his typewriter. I have a photo using it. They have long since switched to computers at The News, but I have yet to abandon my typewriter.

As The Buffalo News Editor, Murray B. Light has had an honored career. Stanford Lipsey, The News President and Publisher, said ''The responsibility of editing a daily metropolitan newspaper is enormous. It involves critical and complex decisions made against stressful deadlines. Murray Light never faltered in his courage, principles or judgment. He has left his mark on this newspaper and the entire community. It has been both stimulating and satisfying to have worked with him these past 20 years.''

I have long admired Murray's aggressive editorial style. Nearly 20 years ago, I said that The Buffalo News and The Courier Express ''succeeded in making a not so simple point to the Congress of the United States: The leaking of hazardous chemicals at the Love Canal in Niagara Falls was not an isolated event but indeed the ominous warning of a national epidemic.'' This couldn't have been more right. They made the case for immediate passage of the Superfund Bill in 1980 and many more since then.

As I was often a guest of The Buffalo News at the annual Gridiron dinner, I had many opportunities to speak with Murray about our common concern of

preserving Buffalo's architecture and historic buildings. Murray made efforts to secure funding for the Darwin Martin House. He also made outstanding contributions to save Louis Sullivan's marvelous Guaranty Building, surely the world's first skyscraper, and to the renovation of Kleinhans Music Hall. My Buffalo office is in the Guaranty Building. Saving it from destruction is one of my greatest achievements as a senator.

Murray is a patriot having served in the Army in World War II as part of the Pacific force. Thanks to the assistance of the GI Bill of Rights, he did graduate work at Medill School of Journalism at Northwestern University and earned a master's degree in 1949. He also was a member of the State Judicial Screening Committee for the Fourth Department and the State Fair Trial Free Press Conference. At the request of Gov. Mario Cuomo, he served on the New York State Temporary Commission on Constitutional Revision in 1994.

A native of Brooklyn and a graduate of Brooklyn college, Murray came to Buffalo in 1949 as a reporter. While at The Buffalo News, he worked as a copy editor, assistant city editor, assistant news editor, swing editor, makeup editor and news editor, and managing editor. Thirty years after he began working for The News, Warren E. Buffett named him editor and vice president. He became senior vice president in 1983. Murray and his wife of 45 years, Joan, have three children.

In a letter to Murray, Warren Buffett wrote: ''From both a professional and a personal standpoint, you are the perfect person to be editor of The Buffalo News. I've always considered myself very lucky in having you there when I arrived in 1977.''

Mr. President, in this spirit, I ask that Edward Cuddihy's article from The Buffalo News, be printed in the RECORD.

The article follows.

[From The Buffalo News, August 9, 1999]

LIGHT TO RETIRE AS EDITOR AFTER 50 YEARS AT NEWS

(By Edward Cuddihy)

Buffalo News Editor Murray B. Light, the only editor most of his newsroom staff members have ever worked for in Buffalo, announced Sunday that he will retire Sept. 19, ending an illustrious journalism career at The Buffalo News that spans a half-century.

Light, who also is senior vice president of The News, made the announcement ''his way,'' not before a gathering of the public officials and civic leaders he has worked with for the past 30 years, but before about 1,200 fellow workers and their families at an employee appreciation picnic, amid the smell of hot dogs and the sounds of children.

Light's announcement came immediately after he was honored by News President and Publisher Stanford Lipsey on the upcoming 50th anniversary of Light's first day at The News. The actual date of that anniversary is Sept. 19, the day Light has chosen as his last day at The News.

In brief remarks, Lipsey said of Light: ''The responsibility of editing a daily metropolitan newspaper is enormous. It involves critical and complex decisions made against stressful deadlines. Murray Light never faltered in his courage, principles or judgment.

''He has left his mark on this newspaper and the entire community. It has been both stimulating and satisfying to have worked with him these past 20 years.''

Light's newsroom leadership began in 1969, the day this feisty young news editor was named managing editor for news. Since then, he set both the tone of the newspaper and the news agenda for the community.

During the past 30 years, Light has been on a first-name basis with governors, senators, congressmen, state legislative leaders, mayors, county executives and anyone else who might have, or wanted to have, an influence on Buffalo and Western New York.

Light's three all-consuming concerns have been The Buffalo News, which he recently described to one colleague as ''my life,'' the City of Buffalo, his adopted hometown, and his newsroom staff with whom he agonized over the paper's failures as much as he gloried in its many triumphs.

Among those triumphs were the launching of the Sunday News, which he describes as ''the most exhilarating challenge of my entire career''; the creation of the popular weekly entertainment section Gusto; and the development of the Sunrise Edition, which made The News one of the nation's all-day newspapers.

Light has been comfortable taking part in every aspect of the newspaper, whether it be his daily attendance at the Editorial Board meetings, where the newspaper's editorial page policy is developed, or his choosing of comics and puzzles for the back pages.

No matter what part of the newspaper he dealt with, his news instincts, often initially seen by his colleagues as a quick shot straight from the hip, usually proved impeccable. For example, Light's idea for Gusto initially was rejected by many as impractical and unnecessary. But Light persisted, and a generation later, nearly every metropolitan newspaper in the country has a section like Gusto, which proved to be popular beyond his imagination.

Light has been directing the morning and evening news meetings at which the editors decide which stories will be played on the front page since those meetings were initiated at The News 15 years ago. At times, an informal vote is taken on what editors describe as ''a close call,'' but everyone around the table knows that only the single ballot at the head of the table counts.

Light, who will be 73 in October, runs the newsroom by the sheer force of his dominant personality. His enthusiasm for every detail, large or small, has been a hallmark of his career. He once told the story of his teen-age job in Brooklyn, operating a machine that inserted three pennies change into cigarette packs for vending machines. ''No job is ever too small to demand your attention,'' he told young editors, adding with a smile that he nearly knocked his finger off when he let his concentration drift for a moment.

Only the fourth person to hold the title of editor at this newspaper during the 20th century, Light came to Buffalo and The News as a reporter in 1949. A native of Brooklyn, his first newspaper job was as campus correspondent for the old Brooklyn Eagle while he was earning his bachelor's degree at Brooklyn College.

He enlisted in the Army and was part of the force in the Pacific being readied for an invasion of Japan, a force that this country never needed to utilize. After his return, he did graduate work at Medill School of Journalism at Northwestern University under the GI Bill of Rights and earned a master's degree in 1949.

During his brief stint as a copy editor at the old New York World-Telegram, Light was hired by the legendary editor of The News, Alfred H. Kirchhofer, a man whom Light quotes to this day with the degree of respect and loyalty he has expected from his employees. Light worked as a copy editor, assistant city editor, assistant news editor, swing editor, makeup editor and news editor before being named managing editor for news in June 1969.

In October 1979, Light was named editor and vice president, and in 1983, he was named senior vice president.

Light recalls that in 1977, when investor Warren E. Buffett purchased The News, the amiable billionaire from Omaha, Neb., told Light he would never interfere in newsroom operations.

''And to this day, he has lived up to that pledge one hundred percent,'' Light said.

Among his memorabilia of 50 years is a carefully folded letter Light received from the chairman of The Buffalo News just prior to Light's 70th birthday.

Buffett wrote: ''From both a professional and a personal standpoint, you are the perfect person to be editor of The Buffalo News. I've always considered myself very lucky in having you there when I arrived in 1977.''

During Light's watch as managing editor and editor, he saw the transformation of American newsrooms from manual typewriters to word processors, and in the mid-80s, when many of his younger colleagues were balking at giving up their typewriters for computers, Light insisted that he be among the first to turn in his trusty Royal for the new invention.

Light has been characterized as an editor right out of ''The Front Page,'' a hard-nosed, often irreverent newsman, hell-bent at getting the big story on the press. He has lived through tumultuous change in American journalism, but he has not altered his fundamental views on a newspaper's relationship with its readers.

Speaking to a group of advertising executives 20 years ago, Light summed up those views when he said:

''The News will not sensationalize to create a headline. We will not, through reference or emphasis, play to the emotions of a segment of our readership and in the process denigrate, dismay or demolish the reputation of a group—whether it be civic, political or ethnic * * *

''We will not use our news columns to reinforce and/or espouse the causes of our editorial page. The News wants to sell newspapers * * * but we will not attempt to do so by yielding to expediency and destroying our news integrity.''

In January 1979, Light began writing a column, ''Your Newspaper,'' in which he shared his views on the newspaper and its staff with the readers. Since then, he has written hundreds of such columns, which he keeps in a cardboard box in his office. Light said he plans to write a column for The News Sunday Viewpoints Section, starting this fall.

Light held offices and holds membership in a large number of professional organizations, including past president of the New York State Society of Newspaper Editors.

He also has been honored by scores of business, civic, social and charitable organizations. Never a man to court personal honors, one of his most treasured accomplishments was to be chosen by his peers to be part of the nominating jury for journalism's coveted Pulitzer Prizes, a post he held in 1990 and 1991.

Light served on the advisory council to the journalism department at St. Bonaventure University and has served on the Community Advisory Council of the University at Buffalo.

He is a member of the American Society of Newspaper Editors and the Associated Press

Managing Editors Association. He also was a member of the State Judicial Screening Committee for the Fourth Department and the State Fair Trial Free Press Conference. Gov. Mario Cuomo appointed him to the New York State Temporary Commission on Constitutional Revision in 1994.

A staunch supporter of the City of Buffalo, Light and his wife of 45 years, Joan, moved from suburban Amherst in the 1970s to a home near the city's Allentown section and most recently to a condominium in the Waterfront Village community. Joan recently retired as vice president of Sovran Self Storage, Williamsville.

The Lights have three children. Lee, a registered nurse with the Buffalo Red Cross Chapter; Laura, a medieval scholar on the Harvard University faculty; and Jeffrey, deputy editor of the Orange County (Calif.) Register.

Light seeks to quench his life-long thirst for knowledge through reading. He recently told his colleagues, without as much as raising an eyebrow, that he reads ''about a hundred books a year, give or take a few,'' in addition to newspapers, news magazines and professional journals.

In his younger years, Light would be hard-pressed to pass up a poker game, and he and Joan were regulars on the tennis court.

Just 19 years ago, Light was quoted as insisting he could never share his wife's fondness for golf. But in recent years, the Lights have been regulars on the golf course at Wanakah Country Club, where they are members. And this summer, the Lights were spectators at the British Open in Carnoustie, Scotland.

Murray B. Light has always had the ability to alter his view in the face of a persuasive argument made by someone he trusts—even an argument about golf.●

CONGRATULATING THE BROWNS AND THE CARSONS ON THE BIRTHS OF THEIR CHILDREN

● Mr. ALLARD. Mr. President, I would like to take a moment to recognize the endeavors of two staff members from my D.C. office who have been working especially hard to increase our Republican majority for the future.

Three weeks ago, Beth Brown, an employee of mine since I started in the Senate, and her husband Motte, who works for our esteemed President Pro Temp, became the proud parents of Sophie Isabelle Brown. She was born around 11 pm on August 25th at a healthy 7 pound and 2 ounces. This is their first child and my staff and I wish them all the happiness in the world.

I am also pleased to announce that just last week John and Eileen Carson brought their second baby girl into their family. Ainsley Jane Adeline Carson arrived September 2nd at 3:09 p.m., weighting 7 pounds and 3 ounces. John is a 5-year member of my staff and my Senior Legislative Assistant. They are doing very well and we extend our warmest wishes and congratulations to them also.●

DELAWARE STATE POLICE SUPERINTENDENT COLONEL ALAN D. ELLINGSWORTH

● Mr. BIDEN. Mr. President, I rise today to pay tribute to Delaware's top police officer—the Superintendent of the Delaware State Police, Colonel Alan D. Ellingsworth.

After one of the most distinguished careers in Delaware law enforcement history, Colonel Ellingsworth has retired following 24 years of service with the Delaware State Police. His life as a police officer began on August 1, 1975, when he was assigned as a road trooper at Troop 6 in Prices Corner. Moving up the ranks quickly, he worked in every major unit, including criminal investigations, as the officer-in-charge of the homicide unit and as a Troop Commander.

In May, 1994, he was promoted to Superintendent, where he has been a true leader for the citizens of Delaware, and a true partner and friend to me.

Mr. President, I want to mention something very near and dear to my heart, the 1994 Crime Law that I authored—it became a reality in Delaware thanks to Colonel Alan Ellingsworth. Under his leadership, the ranks of the Delaware State Police increased 10 percent, with a force of 525 officers today. With funding from the Crime Law, he not only put 60 more police officers on our streets—he established effective ''Community Policing'' units in Delaware's toughest neighborhoods. He personally tackled the drug problem in rural parts of Sussex and Kent Counties, creating new units to go into these poorer areas so that adult residents and their children knew the Delaware State Police were their friends and partners in ''taking back their neighborhoods.'' And he sent a strong message to drug dealers and criminals—get out and stay out. His officers arrested the drug dealers and users, and helped direct the neighborhood kids to Boys and Girls Clubs and other constructive, supervised activities. I've seen these officers at work in these communities—it is remarkable how residents trust them. Equally impressive are the results.

His strategy has worked. Crime in Delaware is down 12 percent.

But there's much more to his story. In another of his initiatives, he used Crime Law grants to put non-uniform police in every high school as Youth Resource Officers. Again, students get the message that, one, violence, bullying, drugs, gangs and guns will not be tolerated; and second, police are role models, coaches and mentors.

Under Colonel Ellingsworth, the Delaware State Police have established Community Police sub-stations in shopping malls, local communities—even in a converted laundry room in an apartment complex in Georgetown, Delaware. The goal and message are simple: police need to be on the beat to help prevent and readily respond to crime.

Colonel Ellingsworth's legacy to the Delaware State Police is even deeper than his accomplishments in reducing crime. The Delaware Crime Statistical Center is now state-of-the-art. The State's crime data is linked with the National Crime Information Center. Delaware's Sex Offender Registry was created under his watch and with his persistent doggedness that Delaware get this system implemented efficiently and effectively.

During his tenure, Colonel Ellingsworth presided over the memorable 75th Anniversary of the Delaware State Police and successfully pursued the fund-raising, building and dedication of the new Delaware State Police Museum.

During his career, Colonel Ellingsworth has received numerous awards and commendations, including Trooper of the Year in 1979 and 1985—In the history of the Delaware State Police, he is the only officer who has been named Trooper of the Year twice. He also has received three Superintendent's Citations, and he was selected as the Crime Stoppers' Detective of the Year.

He is a 1988 graduate of the FBI's National Academy, and a 1987 graduate of the Pennsylvania State University Police Executive Development Institute.

As we like to say in Delaware, Colonel Ellingsworth is ''home grown.'' He was born in Sussex County, a 1972 graduate of Sussex Central High School, received his bachelor and master's degrees from Wilmington College, and now lives in Bear with his wife Ann Marie and their three daughters, Amanda, Lauren and Megan.

Mr. President, it is my great privilege to honor Colonel Ellingsworth on his career as Delaware's top police officer. His officers are the first to say he has served as a real ''trooper's trooper.'' He has been an officer who is tough as nails when solving a heinous crime, yet he always could be counted on as a sensitive shoulder of support to families of officers killed or injured in the line of duty. I will miss his counsel and advice, and I wish him and his family Godspeed, good health and good fortune in the years ahead.●

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappoints Robert C. Khayat, of Mississippi, to the Advisory Committee on Student Financial Assistance for a term beginning October 1, 1999, and ending September 30, 2002.

The Chair, on behalf of the majority leader, after consultation with the Democratic leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, announces the appointment of Charles Sims, of Mississippi, to serve as a member of the Coordinating Council on Juvenile Justice and Delinquency Prevention, vice William Keith Oubre.

ORDER FOR PRINTING—S.J. RES. 33

Mr. GORTON. Mr. President, I ask unanimous consent that S.J. Res. 33 be printed, as modified and passed by the Senate.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 15, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until the hour of 10 a.m. on Wednesday, September 15. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume debate on H.R. 2084, the transportation appropriations bill.

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

PROGRAM

Mr. GORTON. Mr. President, as a result of that action, for the information of all Senators, the Senate will convene at 10 a.m. tomorrow and immediately resume consideration of the transportation appropriations bill. By previous consent, there will be 1 hour of debate on two Wyden amendments, both on the subject of airline reporting, with votes to occur at 11 a.m. Further, amendments and votes are anticipated throughout tomorrow's session of the Senate.

For the remainder of the week, we hope the Senate can complete action on both the Interior and Transportation appropriations bills. I will state, Mr. President, that I am sure the Interior bill will be completed promptly after disposition of the Hutchison amendment.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, September 15, 1999, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 14, 1999:

EXECUTIVE OFFICE OF THE PRESIDENT

Joshua Gotbaum, of New York, to be Controller, Office of Federal Financial Management, Office of Management and Budget, vice G. Edward DeSeve.

UNITED STATES SENTENCING COMMISSION

Joe Kendall, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2001, vice David A. Mazzone, term expired.

Michael O'Neill, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2003, vice Deanell Reece Tacha, term expired.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 1999, vice Wayne Anthony Budd, resigned.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2005. (Reappointment)

DEPARTMENT OF JUSTICE

John Hollingsworth Sinclair, of Vermont, to be a United States Marshal for the District of Vermont for the term of four years, vice John Edward Rouille, resigned.

EXTENSIONS OF REMARKS

TRIBUTE TO THE PALO ALTO MEDICAL FOUNDATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. ESHOO. Mr. Speaker, I rise to honor the Palo Alto Medical Foundation on the occasion of the dedication of its superb new facilities, located on 9 acres on El Camino Real in Palo Alto, CA. The new facility will unite health care, research and community education in a beautiful, new, $120 million, state of the art building.

The Palo Alto Medical Foundation's new facility will bring together over 250 physicians and hundreds of support personnel to care for 130,000 patients who will make more than 750,000 visits to the Clinic this year alone in a modern facility suited to the importance of this work.

The Palo Alto Medical Foundation's state of the art new facility helps the Foundation live up to its tradition of being a place ahead of its time. Begun in the early 1920's when Dr. Tom Williams opened a medical practice in Palo Alto and recruited Dr. Russell Van Arsdale Lee to join him, the Clinic became a permanent partnership soon after Drs. Fritz Roth, Esther Clark, Blake Wilbur and Milton Saier joined them. Three physicians joined the group during the depression years: Drs. H.L. Niebel, Harold Sox and Robert Dunn. Together with Drs. Lee, Roth, Clark, Wilbur and Saier they become known as the founding partners.

After World War II a surge of growth on the Peninsula caused a surge in growth at the Palo Alto Clinic. Twelve new physicians joined the clinic in 1946 and by the 1960's there were 40 partners. In 1961 the Clinic's Russell V. Lee Building in downtown Palo Alto was completed. The Palo Alto Medical Research Foundation was founded in 1950 and soon became an internationally known institution. It is now the Research Institute of the Palo Alto Medical Foundation.

In 1980 the Palo Alto Medical Foundation was formed, combining the Health Care Division, Research Institute and Education Division under one nonprofit, umbrella organization. In 1992, PAMF officials recognized the need for joining a larger health care system and selected Sacramento-based Sutter Health as it partner.

From its beginning, the Palo Alto clinic was known for innovation in treatment methods, in technology and in meeting new health care challenges. This tradition continues today as the PAMF pursues its mission of providing and integrating quality health care, health education and biomedical research to improve the health status of our region.

Mr. Speaker, the Palo Alto Medical Foundation is an extraordinary community resource, one built on a vision of excellent health care, education and research. I salute the Palo Alto Medical Foundation's Chief Executive Officer, Dr. Robert Jamplis, the founders and all those involved with the Palo Alto Medical Foundation for working to create this extraordinary new community asset. I join with them in celebrating the opening of this great new facility and wish them continued success in the pursuit of providing extraordinary health care to the greater Palo Alto Community.

I ask my colleagues to join me in celebrating this outstanding institution, all it has achieved and all it continues to do to provide first rate health care to our community, thereby strengthening our country.

RECOGNIZING VIRGINIA ''GINNY'' GANO

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. HOBSON. Mr. Speaker, I am proud to take this opportunity to recognize a very special woman from Ohio's Seventh Congressional District, Ms. Virginia ''Ginny'' Gano.

On September 8, we marked the 30th anniversary of Ginny's service to the people of the Seventh District. She first came to work on Capitol Hill in 1969 for former Representative Clarence J. ''Bud'' Brown. She worked for my friend Bud Brown for a number of years until his retirement. Ginny continued to work for the Seventh District for Brown's successor, now Senator MIKE DEWINE, for 8 years. Ginny has been a loyal member of my staff since I became a member in 1991.

Ginny has served the office and my constituents ably and well. She's the first person constituents see when they enter my office and always has a smile on her face. Ginny has warmed the hearts of many on Capitol Hill, from Members of Congress to constituents to delivery persons to lost souls wandering the halls in need of directions. She never forgets birthdays or anniversaries, and can find the phone number of almost anyone in the world when only given a first name.

Mr. Speaker, Ginny Gano exemplifies the definition of loyalty and service. Her endurance to service to the Seventh District of Ohio is unparalleled and may never be matched. I am honored to recognize her 30 years and countless efforts on behalf of the Seventh Congressional District and the Members who have represented the area.

IN HONOR OF RYAN W. CLARK

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. GALLEGLY. Mr. Speaker, I rise to honor Ryan W. Clark, a young man who has already proven his courage, his selflessness and his dedication to others, and who will be rightfully honored with the Medal of Valor by the Los Angeles Police Department on Wednesday for placing his life on the line to rescue a fellow officer. In October, he will be honored by President Clinton with the ''Top Cop'' Award.

At 26, Ryan has already experienced more than may people twice his years. He enlisted in the Army in 1991 after graduating from St. Bonaventure High School in Ventura, California, and was assigned to the famed 82nd Airborne at Fort Bragg, North Carolina. After his first enlistment ended, he joined the Los Angeles Police Department. It wasn't his first taste of law enforcement, however; he volunteered as a Ventura County Sheriff's Department Explorer Scout from age 15 to 17.

In May of 1997, Ryan braved a barrage of bullets in a darkened warehouse while attempting to save a fellow officer.

It is every officer's nightmare to have to respond to a call of an officer down, as Ryan and several other LAPD officers did on that fateful day. As they entered the darkened building, they came under fire from a barricaded gunman. Despite the extreme danger, Ryan and other officers laid down a barrage of fire of their own as they tried to advance to their fallen comrade. Ryan's partner was hit by gunfire, and during the officers' forced retreat, Ryan further jeopardized his own safety by dragging his partner from harm's way. Then Ryan and other officers made a second assault. The gunman was killed. Unfortunately, the officer they were trying to save also died.

Ryan has since left the Los Angeles Police Department and has returned to the Army, where he has completed training as a medical specialist. He will return to the 82nd Airborne next month. Ryan's wife, Laura, thinks jumping out of airplanes is only a bit more safe than his law enforcement career. The couple have one daughter.

Mr. Speaker, Ryan epitomizes the kind of person we hold high when we point to our police officers and military personnel. To risk one's own life to save another's is the greatest act of heroism. I know my colleagues will join me in congratulating Ryan for the honors he will receive and in thanking him for his dedication to preserving life and upholding the ideals of the United States.

DAVID WAYNE GILCREASE WAS TRULY A HERO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. MCINNIS. Mr. Speaker, I wanted to ask that we all pause for a moment to remember a man who will live forever in the hearts of all that knew him and many that didn't. David Wayne Gilcrease was a man who stood out to those around him. Friends remember him as a man who enjoyed fishing, rodeos, and dancing. But, most of all, he enjoyed his family and friends. His two sons, Spincer and Tyler, and

his daughter, Kliftina, brought him endless joys. He was known as a good, upright man.

He was also known as a person who had a tendency to stand up for what he felt was right, or against what he felt was wrong. On Friday night, September 3, that tendency cost him his life. David was in a grocery store when he heard gun shots outside. He could have stayed inside and ignored them, or gone on about his own business, but he didn't. With no thought for his own personal safety, he rushed forward to see if anyone needed his help. In doing this, he met a man holding a gun head on. Mr. Gilcrease weighed only 90 pounds, but he tackled this man and was shot in cold blood. He gave his life for someone he never met before.

David Wayne Gilcrease is someone who will be missed by many. His friends and family will miss the man that they all enjoyed spending time with. The rest of us will miss the man who exemplified the selflessness that so few truly possess. But, when we lose a man such as Mr. Gilcrease, being missed is certainly no precursor to being forgotten. And, everyone who ever knew him, or knew of him, will walk through life a bit differently for it.

TRIBUTE TO SISTER ISOLINA FERRÉ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Sister Isolina Ferré, an outstanding individual who has devoted her life to serving the poor. Sister Isolina, a Missionary Servant of the Most Blessed Trinity, received the nation's highest civilian honor during a White House ceremony on Wednesday, August 11, 1999. She was awarded the Presidential Medal of Freedom.

Sister Isolina, known as the ''Angel of Ponce Beach,'' was born on September 5, 1914 to one of the most affluent families in Puerto Rico. Raised in a wealthy family, she decided early in life that she wanted to dedicate her life to the less fortunate. She joined the Missionary Servants of the Most Blessed Trinity at age 21 in Philadelphia. After she completed her training, she was assigned to the Appalachian coal mining region of West Virginia and then worked among Portuguese immigrants on Cape Cod, Massachusetts.

In 1957 Sister Isolina went to work at the Doctor White Community Center in Brooklyn, where she offered to be a mediator between African-American and Puerto Rican gangs. For her efforts she received the key to the city of New York from Mayor John Lindsay and the John D. Rockefeller Award for Public Service and Community Revitalization.

Mr. Speaker, Sister Isolina Ferré founded community service centers, clinics and programs to empower the poor in Puerto Rico, New York and Appalachia. She does this through the Centros Sor Isolina Ferré, a group of five community-service centers she has run for 30 years. One U.S. author who wrote about turning around poor, crime-ridden communities called her ''Mother Teresa of Puerto Rico.''

The Centros Sor Isolina Ferré has 350 employees, five offices throughout Puerto Rico, a postgraduate business and technical school and 40 programs aimed at stemming juvenile delinquency and strengthening families. With government and private funding, it serves more than 10,000 people a year.

The operation is built on Ferré's main principle: Poor communities have many resources they can use to improve their condition, and they can be taught to seek their own solutions and take control of their lives. Staff members teach leadership and strategic planning to people in public-housing projects, in Ponce—skills used to start businesses and organize community improvements. Through counseling and other services for youth and families, Ferre's group has dramatically reduced the school dropout rate within a public housing project in the San Juan area.

Mr. Speaker, Sister Isolina is the fourth Puerto Rican to receive the award. The others are former Puerto Rico Gov. Luis Muñoz Marin, a founder of the Popular Democratic Party; Antonia Pantojas, founder of Aspira, an agency known for helping Hispanic youth; and Sister Isolina's brother, former Puerto Rico Gov. Luis A. Ferré, founder of the pro-statehood New Progressive Party.

Sister Isolina attended Fordham University in New York where she earned a bachelor of arts and master's degree in psychology.

Mr. Speaker, I ask my colleagues to join me in commending Sister Isolina Ferré for her outstanding achievements and in wishing her continued success.

A TRIBUTE TO MR. ISRAEL MILTON ON HIS 70TH BIRTHDAY

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mrs. MEEK of Florida. Mr. Speaker, I rise today to pay tribute to one of Miami-Dade County's unsung heroes, Mr. Israel H. Milton, who celebrated his 70th birthday on August 29. A native Floridian, Mr. Milton attended the then Dorsey High School in Miami and went on to earn his Bachelor's degree from Bethune-Cookman College in Daytona Beach. He subsequently obtained his Master's degree in Social Work from Atlanta University. He is married to an educator, Thelma Milton, who has since retired from teaching and with whom he has four children.

Mr. Milton epitomizes the preeminence of a good and decent servant who has tried to do his best to make government accessible to the community, particularly to the community, particularly to the more than 200,000 clients of the county's Department of Human Services. A veteran in social work services, he started his work in Atlanta, Chicago, and New York. On November 2, 1967, he was subsequently appointed to administer the Kendall Children's Home, our community's first group home for juvenile delinquents. He also started Alpha House, the county's first residential facility for emotionally disturbed children.

Mr. Milton's entrepreneurial spirit in accessing much-needed government funding allowed him to expand many and varied services to benefit the children and the elderly via his innovative Child Care Program, Adult Care Program, the Elderly Services and the Homemaker Services Program.

Additionally, it was his vision to incorporate alcohol and drug treatment programs within the Department, which provided the initiative toward the creation of our community's first Juvenile Residential Substance Abuse Program. Needless to say, he was awarded various citations from nationally-renowned agencies and organizations, which honored his pioneering stewardship in this arena.

Ever since I have known this government steward par excellence, Mr. Milton has always been at the forefront of ensuring equality of opportunity for everyone in our community, regardless of race, creed, gender, or philosophical persuasion. At the same time, his forceful advocacy in adhering to the tenets of equal treatment under the law in every segment of our county government has become legendary. In fact, countless others have been touched by his genuine commitment to their well-being, particularly toward those who could least fend for themselves.

In his own quiet, dignified way, Mr. Milton has been and continues to be our community's consummate activist. He abides by the dictum that those who have less in life, through no fault of their own, deserve the help of government to get themselves back up and to become responsible and productive members of society. His colleagues in government service consider him their model, and are often touched by his unique sincerity and personal integrity. The numerous accolades with which he has been honored by various organizations and agencies represent an unequivocal testimony of the utmost respect and admiration which he enjoys within our community.

Mr. Israel Milton understands the accouterments of power and leadership, and sagely exercises them alongside the mandate of his conviction and the wisdom of his conscience, focusing their impact upon the good of the community which he loves and cares for so deeply. His pioneering work in the social work arena has oftentimes shaped and formed the agenda of several professional organizations such as the National Association of Social Workers, the American Society for Public Administrators, the Governor's Constituency for Children, the Florida Foster Care Review Project, the National Forum for Black Public Administrators, the Dade-Monroe Health Planning Council, and a host of many other organizations.

His word is his bond to those who have dealt with him not only in his moments of triumphal exuberance, but also in his quest to help transform Miami-Dade into a veritable mosaic of vibrant cultures and people converging into the great experiment that is America.

I join countless friends and admirers in wishing Mr. Israel Milton Godspeed and best wishes on his 70th anniversary. He truly exemplifies a one-of-a-kind leadership whose courageous vision and wisdom appeal to our noblest character as a community.

A TRIBUTE TO THE INLAND EMPIRE CHAPTER OF CANDLELIGHTERS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the

selfless volunteers of the Candlelighters Childhood Cancer Foundation of the Inland Empire, who give emotional help and support to the families of hundreds of children who are fighting cancer at the Loma Linda University Children's Hospital.

During the month of September, which is Childhood Cancer Awareness Month, the foundation is celebrating its 18th anniversary of working to ensure that these families do not feel isolated, frustrated, and fearful while trying to cope with the potentially devastating battle against this disease.

The Candlelighters maintain a two-bedroom house near the medical center so parents can be near their child, and provide canned food and laundry services. Among their other services, the foundation keeps a Toy Closet stocked for children who have to have special treatment at an outpatient clinic.

The highlight of the year for the Candlelighters and the children they serve is a Christmas celebration, which annually attracts 600 people and hands out more than 400 gifts for kids. A summer picnic gives these children a chance to play games and take train rides, as well.

Mr. Speaker, all of these services, and many others, are provided through donations and by volunteers. Please join me in heartfelt appreciation for these hard-working individuals during Child Cancer Awareness month.

TRIBUTE TO WILLIAM ''BILL'' MEKALIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to William Mekalian who passed away on January 23, 1999, in Los Angeles, California at the University of Southern California Norris Cancer Center while he was being treated for an illness.

Bill was born in Chicago, Illinois on July 10, 1933 during the Chicago World's Fair. After graduating from high school, Bill enrolled at the University of Illinois. However, he later decided that service to his country was more important and decided to join the U.S. Army in the summer of 1953 during the Korean War. After serving a few proud years in the military, Bill re-enrolled in school at Wright Junior College where he was selected to participate in the Carson Pirie Scott Executive Training Program. Bill's training motivated him to pursue career opportunities in California. It was 1961 when Bill decided to move with his parents to Fresno whereupon he secured a job with the Gottshalks Department Store. It did not take young Bill long to meet Claudette Chuchian of Bakersfield. He married Claudette, and settled in Fresno where they began their family. Bill continued his work as a sales executive, which led him to consider other business ventures including the formation of Javette Truck and Tractor. Over the years, the Javette Corporation grew into one of the leading independent heavy truck sales companies in the country.

Bill is known as a kind and generous philanthropist. He was a dedicated father and carried a strong commitment to his family. Bill's proudest moment was when he witnessed his children graduate together from the University of Southern California. Bill was an avid toy collector. In fact, his impressive train collection rate as one of the best in the world. Several publications and a number of movie sets have featured Bill's collection. Some of his collection is displayed at the historic train museum in Old Sacramento. A leading toy train magazine recently referred to Bill as an ''authority on toy trains.''

Bill's civic involvement included membership to the Triple X Fraternity, an active member of the Republican National Committee, and a member of the St. Paul Church Parish Council. He is survived by his wife Claudette, his twin children: Yvette Mekalian Mandel of Laguna Hills, James Mekalian of Fresno, son-in-law Larry Mandell, and his two grandsons Alec and Ari Mandell.

Mr. Speaker, I rise to honor Bill Mekalian for his accomplishments and service to his community. I urge my colleagues to join me in extending my condolences to the Mekalian family.

HOBERT FRANKLIN WAS A TRUE HERO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. McINNIS. Mr. Speaker, I wanted to ask that we all pause for a moment to remember a man we have lost. Though he is gone, he will live on in the hearts of all who knew him and be remembered for long years by many who didn't. Hobert Franklin was, for the most part, a regular guy. He enjoyed toying with cars, riding his motorcycle, and spending time with those who were important to him. He probably wouldn't have ever thought of himself as a hero, but, he was.

Hobert Franklin was a man who acted on his instincts. Last Friday night, September 3, he was at the grocery store purchasing a money order with his wife. He looked out the window and saw a man trying to drag his wife into the parking lot. His instincts told him to walk outside to try to help. Without saying a word, he stepped between the two people. His thoughts were on protecting the woman, not his own personal safety. Unfortunately, the man pulled a gun and shot Mr. Franklin. He died in an ambulance on the way to the hospital.

When remembered by friends and family the thing that comes up over and over again is the way he was always willing to help anyone who needed him. Just minutes before the shooting he ran into a friend to whom he promised help with a truck that was acting up. His nephew said that whenever anyone needed help Hobert would just drop anything he was doing. He was a good man who gave selflessly of himself.

Hobert Franklin is someone who will be missed by all of us. Those who knew him will miss spending time with him. But, even those of us who never knew him personally feel a sense of loss. We, as a society, have lost someone who was rare to begin with. Mr. Franklin made the ultimate sacrifice to help a total stranger. Hopefully we can all learn from the example that Hobert Franklin set. And, perhaps we can all try to become a little bit more like him.

CENTRAL AMERICA: INDEPENDENCE, PEACE AND PROGRESS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. GALLEGLY. Mr. Speaker, on September 15, five of the nations of Central America will celebrate their respective independence days. As Chairman of the Western Hemisphere Subcommittee, I want to congratulate the nations of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua on the occasion of this day and to call to the attention of the Members of the House the great progress which the region as a whole has made toward peace, stability and democracy.

The historic signing of the Guatemala Peace Accords two years ago ushered in a period in which for the first time in almost forty years, the entire central American region has been at peace. Even more significant is the fact that democracy has taken firm root as evidenced by the fact that every current government in the region has been elected in what have been determined to be free and fair elections by both domestic and international observers. Recently, the people of El Salvador celebrated their continued commitment to strengthening their democracy when they went to the polls in their Presidential elections and selected Francisco Flores to lead the nation into the new millennium. In November, the people of Guatemala will also have the chance to demonstrate their commitment to the democratic process when they will go to the polls in the first Presidential election since the end of the civil war and the signing of the peace accords.

The economies of these nations which were served a severe setback last Fall when Hurricane Mitch devastated the region, seem to be making a solid comeback as growth, albeit slow, is being achieved through a combination of liberalization, modernization and privatization. The peoples of the entire region should be commended for their resiliency in the wake of such a total tragedy. Further, it would appear that in general, an awareness and respect for human rights is on the increase. Nowhere has this been more obvious than in Honduras and especially in Guatemala where that nation has opened itself to a comprehensive review and scrutiny of its past human rights record. Significant U.S. financial commitment to this process as well as to programs we are funding in Nicaragua and El Salvador are clearly helping make these efforts successful. And finally, the militaries of several of these nations seem to have accepted their new roles in a democracy and under civilian leadership. This has been the case in Honduras, Guatemala and Nicaragua and was especially true during the post-Hurricane Mitch rebuilding effort.

This is not to say that there are not problems. Drug use and crime seem to be on the increase everywhere and nagging problems of poverty, unemployment, illiteracy and infant mortality persist. But on the whole, Central America has moved beyond the crisis period of the past fifteen years and has given us great cause for optimism.

Mr. Speaker, while I speak of the important progress Central America is making in the support of democracy, I would be remiss if I failed to mention Panama as well. As the

House knows, Presidential elections were recently held in Panama and, like its other neighbors, free, fair and transparent elections were also the rule of the day. I want to take this opportunity to congratulate the people of Panama as well for their commitment to the democratic process and to congratulate President Moscoso on her election as the first female President of Panama. We want to wish her well and offer our Subcommittee's help in any way to continue a strong U.S.-Panama relationship into the new millennium.

Mr. Speaker, on the occasion of the celebration of their independence, I want to congratulate each of these nations for the progress they are making and to express my hope that they continue on this impressive path. All of the nations and people of Central America should be proud of what they have accomplished to date. We encourage them to continue down this path and we continue to offer our strong encouragement and assistance.

TRIBUTE TO CLAIRE L. CUMMINGS AND MARY CONSTANTINO

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. NEAL. Mr. Speaker, I would like to take this time to acknowledge the outstanding contributions Claire L. Cummings and Mary Constantino have made to the second congressional district of Massachusetts, to our state, our nation, and the Democratic party. In particular I would like to recognize their longstanding service on the Milford, Massachusetts Democratic Committee.

The Milford Democratic Committee assists the Democratic party and their candidates in reaching the citizens of Milford with the message of the Democratic party. Both Claire and Mary have worked hard to extend the message of the Democratic party into the Town of Milford.

Claire L. Cummings has been an active member of the Milford Democratic Committee for thirty five years. Prior to being a member of the Democratic Committee Claire was actively involved in her community, attending and participating in Milford Town Meetings. She was also the first woman in Milford to run for the office of selectman. It was at this time the Milford Democratic Committee asked Claire to become a member of the committee. Claire L. Cummings has made it a point to attend every Democratic state convention, and particularly remembers the National Presidential Convention of Lyndon B. Johnson. Outside of politics she was involved in other community service groups such as: the Democratic Women on Wheels and the Telephone Pioneers of America.

Mary Constantino began her political career at the early age of eighteen. Mary has worked hard for the Milford Democratic Committee, going door to door asking for votes. She has also been influential in persuading many to join the Democratic party. In all of her thirty five years of membership she has never missed a Democratic convention held in Milford, Massachusetts. Mary is also involved in her community in many other ways. She has been a member of the Grandparents for Literacy group, and was honored by the Jaycees for her work with children. She was named Woman of the Year by the American Heart Association, in honor of her eighteen years of service. Mary Constantino is an asset to the town of Milford and the state of Massachusetts.

Both Claire L. Cummings and Mary Constantino are assets to the Milford Democratic Committee, their state, and our nation. I am pleased to recognize the contributions of both of these women to the second congressional district of Massachusetts.

IN HONOR OF ANNUNCIATION PARISH COMMUNITY IN CELEBRATION OF 75 YEARS OF SERVICE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. KUCINICH. Mr. Speaker, I rise today in celebration of the Annunciation Parish Community as it celebrates its 75th year of dedicated service to the West Cleveland community.

The Annunciation Parish Community, through its ''willingness to bear Jesus to the world,'' has served as a center for the religious expression and the spiritual growth of the West 130th and Bennnington communities.

Through the rite of Baptism as well as conversions, Annunciation has brought many members of the community into the Catholic faith. Throughout the years, Annunciation has served as a center of spiritual and religious growth within the community through the rites of Eucharist and Confirmation. Also, Annunciation unites Catholic members of the community through marriage, offers spiritual pardons through confession, as well as memorializes the deceased through Christian burial.

Annunciation has also educated generations of young men, women and children who have passed through the residential school over the last seventy years. In addition to teaching children the fundamental academic disciplines, Annunciation has taught the importance of service to the community. Currently, Annunciation is involved in helping to bring the Bellaire-Puritas Development Corporation and the Meals-On-Wheels to the area, providing their end of the month Neighborhood Meal, and monthly Food Collection and Hunger Collection, both of which are very supportive of the West Park Community Cupboard.

It is evident that the Annunciation Parish Community has, over the years, played a crucial role in the community, and that its many years of service have been an invaluable contribution to the West Cleveland community.

HONORING SISTER BRIGID DRISCOLL

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. DELAURO. Mr. Speaker, I rise today to honor Sister Brigid Driscoll for a lifetime of service and commitment to education. Sister Brigid has pledged her life's work to furthering educational opportunity, especially for young women. She began her career at Marymount College in Tarrytown, New York as a mathematics professor, and later became Academic Dean and Director of Continuing Education. In June, she retired from her twenty year post as President of Marymount College.

I was moved to recognize the great accomplishments of Sister Brigid because she has been an important force in my life. Marymount College is my alma mater. Sister Brigid served as an advisor in my residence hall, Gailhac Hall, where her wisdom and guidance were often sought by myself and the other young women in the hall. Sister Brigid was the kind of leader who tested the will of the young women like myself. Back in those days, we all thought we knew everything. As we pushed the edge of the envelope, Sister Brigid pushed us right back. Sister Brigid was very familiar with some of the antics college women are inclined to participate in. One memorable evening, after a fire started in the lounge of Gailhac Hall, some of us went to alert Sister Brigid, however, it was the night before April Fools Day and she laughed it off, telling us to just ''put it out.'' After a few more minutes, when she began to smell the smoke herself, she burst out of her room, complete with her elaborate habit, and helped us carry the burning couch out to the patio. Clearly, Sister Brigid was developing her crisis management skills as she led the young women of Gailhac Hall.

She challenged us, while still allowing us to think for ourselves and determine our own path. She inspired those around her to work harder and strive to reach our fullest potential. Through her example, she instilled in us the virtues of public service. Sister Brigid demonstrated to us a lifetime commitment to furthering the ideals one holds dear and that, indeed, a woman is capable of achieving anything.

As the leader of Marymount College, a liberal arts college for women, she sought to provide a rich educational environment where women are encouraged to lead and learn. As an ardent proponent of state and financial federal assistance, and the Director of the National Association of Independent Colleges and Universities and the New York State Commission of Independent Colleges and Universities, she has worked tirelessly to promote the benefits of private institutions of higher learning, and to increase access for young people of all backgrounds.

Private colleges and universities have been the choice of Sister Brigid's own educational foundation. She earned a Bachelor's degree in Mathematics from Marymount Manhattan College, a Master's degree from Catholic University, and a PhD in Mathematics from City University of New York. This year, in recognition of her distinguished service to the school, Marymount College bestowed on her the Honorary Degree of Doctor of Humane Letters.

Sister Brigid is truly an educational visionary. In 1975, she founded the Weekend College at Marymount College. It was the first full Bachelor's Degree program in the area for working adults. She recognized that her community needed higher education that was accessible and convenient for working men and women. Because of her, hundreds of adults have earned their college degrees, and have accomplished what may have been a distant goal at one time. Many people see problems,

Sister Brigid is the kind of woman who creates solutions.

All who have worked with Sister Brigid are amazed at her endless energy. She is active in numerous community organizations, serving on the Boards of First American Bankshares, Inc. and The Westchester County Association. She is a member of the exclusive Women's Forum, a group of 300 leading women in the New York arts and business forum. She has also served on past boards of the Statute of Liberty/Ellis Island Commission, the United Way of America Second Century Initiative, the National Board of Girl Scouts USA, and the Axe-Houghton Funds.

Although Sister Brigid has retired, those of us who know her can tell you she is not finished with her work yet. She will continue to use her talents and experience for projects which focus on furthering the progress of education for women. I am proud to stand here today to honor one of my earliest role models. I join with her friends, colleagues, and students to thank her for her years of service and wish her a very happy and healthy retirement.

TEACHERS' CREDENTIALS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. DUNCAN. Mr. Speaker, many small colleges are unfortunately in a struggle to survive today. Let us suppose a very possible hypothetical situation in which a college professor with a Ph.D. and 20 years of teaching experience loses his or her job because a college closes down.

Today, that professor, even with a Ph.D. and many years of teaching experience, could not teach in the public schools—this in the face of a teachers shortage.

It makes no sense whatsoever hat someone with great education, experience, or success in a particular field should not be allowed to teach because of not having taken a few education courses.

A degree in education should be a plus in favor of hiring a teacher. But lack of an education degree should not prevent a well-qualified person from being hired as a teacher.

I would like to call to the attention of my colleagues and other readers of the RECORD the following article by Jeanne Etkins from the September 2 issue of the Christian Science Monitor.

TEACHERS VS. ''EDUCATORS''

American students bottom-out on international math and science tests and too many need remedial reading and writing classes in college.

One important reason is that we easily accept credentialed educators over effective teachers. Too many unprepared graduates are allowed to become ''educators.'' Teaching is one of America's most important professions and yet our education bureaucracy—high on credentialism and low on pay—makes it difficult for well-educated people to become teachers.

Instead of making it easier for better teachers to enter the profession, our solution to our problems is too often to dumb down, not wise up. For example, we gave A's and B's to two-thirds of the nations eight-graders, even though many are unprepared to handle high school. We ''re-center'' SAT scores to obscure declining student abilities. And we grant college diplomas—and teaching degrees—to people who haven't mastered high school material. (Tell me, who hasn't heard about that 60 percent failure rate on the Massachusetts teacher's entrance exam?)

Although students, teachers, and school administrators clearly don't make the grade, taxpayers spend a fortune on education—$565 billion, in federal, state, and local funds, in 1997. And yet, the United Way estimates states and businesses shell out $20 billion annually to teach employees and college students fundamental literacy skills. A very big reason for this is that we invest in good ''educators'' not good teachers.

People serious about a subject don't major in education. Scientists major in science, historian study history, and mathematicians focus on math. If people are really serious, they earn graduate degrees.

So why aren't more of these experts teaching our children? Because a BA in education qualifies teachers, but an MA or even a PhD in any other field does not.

Furthermore, adding college teaching to a doctorate won't get the most persistent teacher-wannabe a job in a public school. We don't ''certify'' people to teach unless they've taken education theory courses, no matter how knowledgeable they are in academic areas.

Not that every expert in a field is going to teach well—but it's not a far-fetched notion that someone who loves and understands a subject can ignite a student's interest in it.

How many brilliant people with graduate degrees do you think are willing to sacrifice $20,000 and an additional two years on education courses in order to land a $25,000 per year teaching job? Not many, and the number is smaller if you consider that we refuse to pay higher starting salaries to career-changers who may have spent years working in their fields.

Noncompetitive salaries and unreasonable requirements discourage professionals and capable college graduates from entering teaching.

Even the most dedicated teachers already in the profession bail out because of other reasons—overcrowded classrooms and disrespectful students. One out of 5 teachers—many of the best—began abandoning the profession in 1991 for more rewarding careers, according to the US Department of Education. Can we really blame them? All too often we demand they tolerate students whose abusive language and disruptive behavior in the classroom prevent teaching and would surely get them locked up or expelled from any church, store, library, or theater.

''Teaching is rewarding, but the pay is lousy'' is fast becoming ''Teaching is unrewarding, and the pay is lousy.'' It's no wonder that the best and the brightest rarely go into teaching, and when they do, few stay. It's time to reverse this dangerous trend.

We will save money and graduate smarter kids when we make it easier for motivated, knowledgeable professionals to make the transition into teaching. They don't need to be credentialed to start the job. There's no reason we should be able to train defense employees on the job—to program ballistic missiles, for goodness sake—but not teachers.

Don't misunderstand, though. Paying teachers competitive starting salaries and hiring more academic experts won't guarantee a Lake Wobegon society. Every student is not ''above average,'' regardless of the number of A's and B's teachers are encouraged to pass out.

But our chance for improving public schools rises dramatically when we make it easier, not more difficult, for the right people to become teachers.

Well-educated people want to teach.

Are we wise enough to let them into the classrooms? Will we pay what it takes to keep them there?

CONGRATULATIONS TO ANN KUTSCHER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. SKELTON. Mr. Speaker, it has come to my attention that Ann Kutscher of Jefferson City, Missouri, has been selected to serve as Governor of the Western Missouri District of the Optimists International. Ann has selflessly served her community, and it is my pleasure to recognize a few of her many outstanding achievements.

Ann Kutscher has dedicated her life to community service through a variety of organizations and positions. Ann has been a member of the Jefferson City Optimist Club since 1991 and has previously served as the President of the chapter. On August 21, 1999, she was installed District Governor.

For over twenty years, Kutscher has been a devoted member on the General Federated Women's Clubs of Missouri, Inc. (GFWC). In GFWC, she has served as State President, Mississippi Valley Region President, and as member of the International Resolutions Committee and Diana's Club. Kutscher also formed the GFWC-Jefferson City New Horizon Junior Club.

An active environmentalist, Ann has served on the Conservation Federation of Missouri, holding the positions of Honorary Chairman, Treasurer, and she was the first woman elected President of the board. She also served as past President of the Mid-Missouri Conservation Society, and she is on the Jefferson City Parks and Recreation Committee.

Ann's wide range of involvement also includes youth leadership development and church volunteerism. She has served as State Chairman for the Hugh O'Brein Youth Leadership Foundation and has been serving as the Missouri Girls Town Board President since 1986. She has also been an active member of the Trinity Lutheran Church in Jefferson City, as Assistant Treasurer, President of the Trinity Missionary Society, and Chairperson of the Trinity Steering/Building Committee.

Mr. Speaker, Ann Kutscher is a personal friend of mine, and I have had the privilege to have her on my staff for many years. She is a devoted parent and grandparent with three sons and six grandchildren. From 1973 to 1976, she was my Administrative Assistant when I served in the Missouri Senate. Since 1983, I have had the pleasure of having Ann as a Capitol Liaison in my Jefferson City district office. Ann Kutscher is a true model of dedication and achievement for her community and State. I know the Members of the House will join me in offering a heartfelt congratulations to Ann Kutscher.

TRIBUTE TO TONY AGUIRRE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. FARR of California. Mr. Speaker, I rise today to honor a greatly respected and remembered man. Tony Aguirre, a captain and former fire chief with the Hollister fire department and community role-model, died this last July after a courageous battle with cancer at the age of 61.

Tony was a committed and professional firefighter who selflessly devoted himself to the welfare and safety of the members of the community for nearly half a century. Tony Aguirre was a long-time resident of Hollister who returned to the community after serving in the National guard and attending San Jose State University. He is remembered by many as one of the real heroes in the community.

Recently, Tony had been honored as the Man of the Year by the Mexican American Committee on Education and also served as the first president of the San Benito County League of United Latin American citizens.

We will always remember Tony Aguirre for his courage and compassion. My thoughts are with his family.

HONORING JOHN R. LINDAHL, SR.

HON. ED BRYANT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. BRYANT. Mr. Speaker, I rise today to honor my constituent and one of America's top entrepreneurs, John R. Lindahl, Sr., founder and recently-retired Chairman of State Industries, Inc. in Ashland City, Tennessee.

After flying 64 missions as a B–26 bomber pilot in World War II, John returned to Tennessee and went into business for himself making coal and wood-burning stoves out of a garage. By 1948, John took his small State Stove and Manufacturing Company in a new direction and began producing water heaters.

With some 150 competing water heater companies in the early fifties as his competition, John Lindahl let nothing stand in his way. He sold, delivered, and installed water heaters himself, running this small operation often from his car. With John's hard work, his dedication to free enterprise and commitment to quality, State Stove and Manufacturing became State Industries, one of the world's largest and leading manufacturers of residential and commercial water heaters and water system tanks.

Relocating in the early sixties to Ashland City, Tennessee in my district, State Industries boomed into one of the most modern and efficient plants in the industry. Occupying a 1.6 million square foot plant and employing more than 2,000 employees, State Industries now grosses sales in excess of $400 million.

Well-known for his devotion to his employees, service and building strong relationships with customers, John Lindahl, Sr. is proof that the American dream is possible through commitment, loyalty and faith.

Mr. Speaker, I am honored to have this opportunity today to congratulate John Lindahl, Sr. on his truly remarkable success and impressive legacy. Along with my colleagues in the House, I send my best wishes to him for a happy and healthy retirement.

TRIBUTE TO NORWAY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. SAXTON. Mr. Speaker, I rise today to congratulate and pay tribute to Norway for its numerous contributions to and dedicated support of the international affairs which have become significant factors in the development of a sound Balkan market economy and a strong foundation for democracy. In particular, I would like to specifically highlight Norway's exemplary commitment to recent international peacekeeping operations, military volunteer support and participation in various multilateral economic and humanitarian programs.

Since 1947, Norway has taken part in nearly 30 peacekeeping operations involving more than 55,000 military volunteers. With a total population of about 4.5 million, this is a significant contribution which greatly exceeds larger NATO ally countries. These Noregian military volunteers have been stationed in the Balkans, the Middle East, Kashmir, Korea, the Congo, Guatemala, Angola, El Salvador, Somalia and the former Yugoslavia to name a few.

Since 1997, Norway has assisted with extremely delicate international situations by taking as active part in peace keeping operations such as supporting the United Nations Interim Force in Lebanon (UNIFIL), the Stabilization Forces (SFOR) in Bosnia-Herzegovina, the United Nations Truce Supervision (UNTS) in East Solovenia, and the United Nations Mission of Observers in Prevlaka (UNMOP).

Norway is equally strong in the economic marketing and developing of democracy for three Baltic states; Estonia, Latvia and Lithuania. Through various multilateral cooperative programs and exercises, Norway has stimulated economic growth and collaboration between a number of western countries with the Baltic states. This unified effort has resulted in the establishment of a joint Baltic peace-keeping battalion, a joint Baltic Navy Squadron, and Baltic Security Assistance Group. Norway has also provided significant monetary aid to the Balkan area with 153 million dollars to aid Kosovars in Norway, 38 million dollars in military expenses and 29 million dollars to United Nations for humanitarian assistance.

Mr. Speaker, Norway is indeed a ''keystone'' to the foundation of international democracy and within the Balkan area. Its continued support of peacekeeping operations, humanitarian support and economic growth remains vital to world stability. For outstanding support of democracy, I congratulate and pay tribute to our good friend and ally, Norway.

SACRED HEART CHURCH IN SYRACUSE TO BE DEDICATED AS A MINOR BASILICA

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. WALSH. Mr. Speaker, I want to share with my colleagues today a significant honor for many of my Central New York neighbors and constituents who are parishioners at the Sacred Heart Roman Catholic Church in Syracuse.

My wife and I attend mass at Sacred Heart quite often and so we were happy and proud, as are so many others who worship in this neighborhood church on the west side of the city, to hear the recent news from the Vatican that the church will be designated, by order of Pope John Paul II, a Minor Basilica during a mass to be celebrated on October 3.

To many in the parish, this important designation represents years of prayers and hard work by Father Peter W. Gleba, the rector and pastor, who put together the papers of application (all in Latin, I might add), and the longtime leadership of Monsignor Adolph Kantor, Msgr. Kantor is now retired, but he will be on hand at the Oct. 3 mass to present the homily.

This designation, aside from the magnificent honor paid to the church and the parish, has a practical effect. A Basilica Chair will sit in the vicinity of the altar and should the Holy Father ever come to Central New York, he would say mass at Sacred Heart and use this very special chair.

The designation also means that our Bishop from the Diocese of Syracuse will say mass at Sacred Heart at least once a year, in addition to regular liturgical events such as administering the sacrament of Confirmation.

Significantly, there are only two other Basilicas in New York State, one in Tonawanda near Buffalo, and one in Brooklyn. This is the first such designation in the history of the Syracuse diocese.

We who are so proud of and thankful for this designation also give thanks to Bishop James Moynihan and former Bishop O'Keefe for their encouragement and support.

In closing, I would like to pay tribute also to former pastors, Father Rusin and Monsignor Piejda, both of whom formed a very close bond with the parishioners, many of whom over the years have been of Polish and Eastern European descent.

This is a tremendous honor for Sacred Heart Church, and I would ask my colleagues to join me in recognizing their great joy and thanksgiving.

ARTSAKH INDEPENDENCE DAY

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. McCOLLUM. Mr. Speaker, congratulations to the brave people of Artsakh—the traditional Armenian name of what is presently known as the Republic of Nagorno Karabakh—on their independence day—September 2nd. Eight years after their unilateral declaration of independence as the Soviet

Union was collapsing and hostile militant forces were rising in the Caucasus, the predominantly Armenian population of Artsakh is still far from being safe and secure. Shunned by the world at large and increasingly threatened by the rise of militant Islamism in the Caucasus, the Republic of Nagorno Karabakh sets an example of perseverance and commitment to freedom and independence.

The current plight of the people of Nagorno Karabakh is a sorry situation since the Armenians of Artsakh are among the oldest distinct population groupings on earth. Armenian settlements and a distinct political entity have existed in Artsakh since the 2nd century B.C. Armenian independence prevailed there until the collapse and partition of the first Armenian state in the 5th Century A.D. At that time, between 480 and 483, Movses Khorenatsi wrote the monumental ''History of Armenia'' under the auspices of Prince Sahak Bagratuni—a manifestation of the centrality of Artsakh in Armenian civilization. In the late Middle Ages, the Armenian principalities retained their independence under Persia's nominal rule.

The Armenians of Nagorno Karabakh were among the first in the region to embrace Christianity back in 301 A.D. in the aftermath of the missionary activities of St. Gregory the Illuminator. In this context, the repeated destruction and rebuilding of the Monastery in Amaras symbolizes the resilience and determination of the Armenians of Artsakh. First built around 330 A.D. by St. Gregory the Illuminator, it has been repeatedly damaged and destroyed by countless invaders—such as the Arabs, the Persians, the Mongols and the Turks—only to be rebuilt again and again by the local population. The Monastery in Amaras was last damaged by the Azerbaijani forces in 1992, during Nagorno Karabakh's bitter war for independence. It has since been rebuilt and its centrality in Armenian religious life restored.

The Armenians' quest for independence has long historical roots. In the late 1980s, as the population of the then Soviet Union was awakened to rediscover nationalist roots, as well as cultural and religious heritage, so did Armenians of Nagorno Karabakh. By then, they had a history of quest for independence despite Soviet oppression. Significantly, since 1923, Nagorno Karabakh was a distinct Autonomous Region within Azerbaijan—a status that reflected the population's distinction. The Armenian population was restive since the thaw of the early 1960s, including riots in the late 1960s demanding self-determination within the confines of the USSR.

In the late 1980s, the Armenians of Nagorno Karabakh were alarmed by the rise of Turkic militancy in Azerbaijan. The legacy of the 1918–1920 slaughter of Armenians by Turkish and Azerbaijani forces—especially the March 1920 destruction of Shushi, an Armenian cultural center that lost its Armenian population and character until recaptured in May 1992—was revived by pogroms in Baku and ''ethnic cleansing'' of Armenian population throughout the region since 1988. No less alarming was the Azerbaijani blockade aimed to starve the Armenian population into surrender and self-imposed exile. Hence, once the Armenians' quest for self-determination was rejected by the Soviet and subsequently Azerbaijani authorities, the Armenians of Nagorno Karabakh embarked on their quest for independence as the sole guarantor for their self-survival.

On September 22, 1991, the Armenians of Nagorno Karabakh declared their independence and vowed to defend the Armenian character of their land. They then withstood a three-year long brutal war in which the vastly superior Azerbaijani forces strove to destroy them completely. Presently, the population of the Republic of Nagorno Karabakh is a mixture of the local population and Armenian refugees from parts of Nagorno-Karabakh still held by Azerbaijani forces, as well as ethnically cleansed Armenian communities in other parts of Azerbaijan, most notably Baku. They are trying to rebuild their country. A mere 150,000–200,000 people surrounded by a sea of hate with only a corridor to Armenia as a life-line of sustenance.

Therefore, we should recognize the determination of the Armenians of Nagorno Karabakh to preserve and revise their heritage and take control of their lives. In an era where the United States has stood up to the rights of endangered minorities to self-determination, stability, and betterment of life, we should not neglect the legitimate rights and aspirations of the Armenian people of Artsakh. They have already fought and sacrificed enormously in order to attain these rights. On their independence day, they deserve not only our congratulations, but our recognition and help, so that they can continue to grow and develop free of existential threats.

TRIBUTE TO ERNEST DILLON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. FARR of California. Mr. Speaker, I rise today to honor a beloved and remembered man. Ernest Dillon, a long-time benefactor of Santa Cruz county passed away this last July at the age of 90.

Born July 29, 1909 in Oregon, Mr. Dillon moved with his family to Santa Cruz in 1921 when he was eleven years old. Aside from his highly decorated service as a captain in the U.S. Army during World War II, Ernie resided in Santa Cruz until his death. As a local business-owner, Mr. Dillon led improvement campaigns in downtown Santa Cruz to help protect local businesses from competing shopping centers further north.

For over three decades, Ernie Dillon contributed to the community through a lifetime of civic accomplishments in the areas of education and health care in Santa Cruz county. Ernie worked tirelessly to raise monies for Dominican Hospital and was also instrumental in acquiring the funding for constructing Cabrillo Community College.

As an avid global adventurer and for his devoted service to promoting the welfare of the people in Santa Cruz county, Ernie Dillon will be sorely missed and always remembered for his great contributions spanning an entire lifetime. My thoughts remain with his family.

TRIBUTE TO RICHARD J. LIEN

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. HOOLEY of Oregon. Mr. Speaker, I would like to take this opportunity to enter into the CONGRESSIONAL RECORD a few words expressing the profound gratitude and esteem I have for a very special public servant in my congressional district. Richard J. Lien has served the public as a Social Security Field Representative for the last 25 years. He has also been one of Social Security's special congressional liaisons for more than a decade. We will lose Dick to retirement on September 24.

My staff and I have worked with literally dozens of congressional liaisons, and it is no exaggeration to say that Dick is the best of the best. Dick has worked with nearly every member of my staff and helped thousands of my constituents with problems ranging from the easily fixable to the nearly impossible. Dick tackled problems big and small with his characteristic persistence and compassion for those he was trying to help.

There was the time he got a woman her lost Social Security check just in time to prevent her home from being foreclosed. The time he got a young American girl living in Jerusalem a replacement Social Security Card in a week, so she could complete important State Department paperwork. The time he forwarded a young man—on Christmas Eve—more than $20,000 owed him in back disability pay.

I could go on and on until I had filled several volumes. My constituents have called him a savior, a godsend, and even Santa Claus. And I haven't even touched on the work he has done for the other members of Oregon's Congressional Delegation and our predecessors.

Through his years of service to the public and the Congress, Dick has been unfailingly professional, courteous, and persistent. He never gave up on a tough problem or complained, though he often bore more than his share of work. Dick will be sorely missed—by Oregon's members of Congress, by the Social Security Administration, and by the countless Oregonians he helped, many of whom probably never knew he was the one making sure they got their Social Security checks every month.

Dick, today I salute you, my staff salutes you, and Oregon salutes you. May you have a peaceful and well-deserved retirement.

CONFERENCE REPORT ON H.R. 2488, TAXPAYER REFUND AND RELIEF ACT OF 1999

SPEECH OF

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. BALLENGER. Mr. Speaker, I am pleased to offer my support for the compromise version of the Taxpayer Refund and Relief Act of 1999, a tax relief package which is a consequence of our strong economy and the successful 1997 Balanced Budget Agreement. The commitment to tax relief demonstrated by Chairman BILL ARCHER and the

Members of the Committee on Ways and Means, and their counterparts in the other body, is the main reason we are debating this legislation today. Chairman BILL ARCHER deserves special recognition for his drive to return excessive federal income taxes to the American taxpayers.

We have pledged to return to taxpayers only the surplus dollars generated from excessive federal income taxes. It is important to note that H.R. 2488 conditions the tax reductions on there being no increase in the public debt. Specifically, if this debt increases, H.R. 2488 would delay the next phase of tax reductions for one year. This so-called ''trigger'' was included to reassure voters that the tax cuts would be forthcoming only if the expected budget surpluses materialize over the next ten years.

Even if this $792 billion tax relief would become law, Congressional Republicans expect to reduce the pubic debt from $3.7 trillion to $1.6 trillion over the next ten years (a reduction of over $2 trillion). The public debt is the debt resulting from the federal government's sale of Treasury bonds to mutual funds, individuals and foreign investors. The amount of public debt reduction will be twice the amount returned in tax relief. We will be paying down the public debt and, as a result, keeping interest rates low and the economy strong.

Fundamentally, I believe this bill continues the progress Congressional Republicans have made in returning to Americans and their families more control over their lives and over the federal government. Unlike President Clinton who plans to veto this tax relief, we believe that our constituents can make better decisions about spending their wages than Congress, the White House and Washington bureaucrats.

I support this historic $792 billion tax relief package which offers taxpayers a one percent reduction in all individual income tax rates and virtually eliminates the marriage penalty. In addition to provisions designed to reform pensions and enhance retirement security, H.R. 2488 would: expand education savings accounts, student loan interest deductibility and prepaid tuition plans; provide more money to school districts for school construction or renovation; make health insurance and long-term care insurance more affordable and accessible; provide an additional exemption for taxpayers caring for elderly family members at home; lower the capital gains tax and phase out the estate tax; protect child, education and child care tax credits by phasing out the alternative minimum tax; and allow a deduction to cover the cost of prescription drug insurance coverage for seniors once Congress passes Medicare reform.

I welcome these changes in the tax code and those contained in the Taxpayer Refund and Relief Act of 1999 which address employee stock ownership plans, or ESOPs. The compromise bill contains a provision (Section 2 of the ESOP Promotion Act of 1999, H.R. 2124) which would expand the deduction of dividends paid on ESOP stock. Such simplification of the tax code will be a welcome change for ESOP companies and their employees who wish voluntarily to reinvest their dividends in more company stock.

Finally, I am grateful for the adoption of a Senate provision which addresses ESOPs set up by S corporations, ensuring that this change in the Balanced Budget Act of 1997 is not misused. If enacted, this change would resolve any unintended consequences of our 1996 and 1997 tax laws and ensure employees of S corporations can participate in ownership through an ESOP.

Again, I am pleased by the positive leadership taken by Chairman ARCHER and the Ways and Means Committee to reward hard-working taxpayers and their families, small businessmen and women, and to boost employee ownership.

RECOGNIZING SHELDON'S HORSE, THE SECOND CONTINENTAL LIGHT DRAGOONS

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. GILLMOR. Mr. Speaker, it is with a great deal of pleasure that I rise today to revisit the proud and distinguished history of one of General George Washington's first commissioned cavalry units, Sheldon's Horse, the Second Continental Regiment, and to recognize the efforts of the members of the current-day Sheldon's Horse for their efforts in keeping their history alive.

During the War of Revolution New York Campaign of 1776, the usefulness of a detachment of Connecticut militia troopers under the command of Major Elisha Sheldon and the intimidation of some of the Continental Army infantrymen by similar British units led George Washington to call for the addition of light horsemen to the Continental Army. Congress directed Major Sheldon to raise a light dragoon regiment and appointed him lieutenant colonel commandant of calvary.

Consisting of troops from Connecticut, Massachusetts, and New Jersey, Sheldon's Horse participated in engagements in Northern New Jersey, the defense of Philadelphia, New York (1779), Connecticut (1779), New York (1780), New York (1781), and Connecticut (1781). The unit served as Washington's ''eyes,'' scouting and skirmishing with the British advance forces and denying the British supplies and forage. The unit was recognized by our French allies as the best equipped and best trained regiment in the American Army. After the war, the Regiment was disbanded on November 20, 1783, after being furloughed five months earlier with General Washington's last encampment at Newburgh, New York.

By act of the Governor of Connecticut, the Second Continental Light Dragoons has been reactivated in 1980, as a representative ceremonial unit of the State of Connecticut to serve as historic functions. Under the leadership of Commander Salvatore F. Tarantino, present day Sheldon's Horse is worthy of its proud legacy. Great effort is made to observe actual historical data to ensure authenticity of appearance and purpose. Sheldon's Horse is recognized as one of the finest reenactment units in America. Sheldon's Horse continually wins awards for best military appearance, best drill, best field (battle) performance, and best historical demonstration.

Mr. Speaker, historical perspective of our national experience and its accurate preservation are a vital part of that which defines us as a nation. I ask my colleagues to join me in recognizing the work of today's Sheldon's Horse in preserving the unit's distinguished history and in perpetuating it for current and future generations of Americans.

IN MEMORY OF AMORY UNDERHILL

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the memory of Amory Underhill, an outstanding community leader who will be greatly missed by the entire Florida community.

Graduating from John B. Stetson University in 1936, Amory practiced law in DeLand, Florida, for four years before joining the military. In the United States Navy, Amory served active duty for three years as a Lieutenant Commander. After completing his term of service as a Naval officer, he distinguished himself as an attorney in the Department of Justice where he was admitted to practice before the Supreme Court in 1946. As a member of the American, Federal, Florida, and District of Columbia Bar Associations, Amory truly demonstrated his strong belief that through his law experience he could improve the lives of others.

In addition to his tremendous work in law, Amory Underhill was distinguished in his devotion to higher education. At various times in his life Amory served as a Trustee at both Stetson University and Saint Leo College, and this extraordinary interest in education did not go unrecognized by either of these institutions. In 1974, he was presented with the distinguished Alumni Award by the Stetson University Alumni Association. Saint Leo College presented Amory with an Honorary degree—Doctor of Humane letters—in 1980. Lastly, in recognition of his tremendous accomplishments, Stetson University has created the Amory Underhill Award presented annually in his honor.

Adding to his already extraordinary resume, Amory Underhill was continually involved in community service throughout his life. This interest dates back as far as 1946, when he became a member of both the Young Democrats of America and the Florida State Society. Amory was so interested in addressing the concerns of Floridians throughout his life that he became a Trustee of the Florida House in 1973. He was also member of the Florida Chamber of Commerce and of the American Legions Military Order of World Wars. Participating in the DeLand Elks and in the DeLand Kiwanis Club, he was very well respected by the entire Florida community for this intense devotion to his work as well as interest in improving the world around him.

In summary, Amory's exemplary work and civic involvement were truly outstanding and he will dearly be missed by the entire Florida community. However, I am grateful to say that we are lucky to have so many wonderful memories of his life and work.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2684) making appropriations for the Department of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the Cunningham amendment to restore funding for the Selective Service System.

The sole mission of the Selective Service is to support our country's military readiness by supplying manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. The Selective Service is a small agency with a budget of less than $25 million. It relies on more than 10,000 volunteers who would serve on local, national and civilian review boards during a draft.

Registering for the Selective Service is one of the few requirements we place on our young people. It is also one of the few opportunities we have to encourage young adults to consider public service. Through the response mechanism in the registration process, the Selective Service System provides men 18–25 years of age with information about a range of ways, military and civilian, to serve their country. These messages address all of the armed services, as well as civilian service opportunities, including America's Promise and Job Corps.

At a time when our nation faces recruitment shortages and retention problems, it would be unwise for this body to terminate the one agency responsible for maintaining an up-to-date list of people that could be called upon should we need to return to a draft. Defense Secretary Cohen, the National Security Council, the Chairman of the Joint Chiefs of Staff, and our nation's leading military service organizations oppose the elimination of funding for the Selective Service System because it could compromise this country's future mobilization capability.

During a time of peace and with a strong economy, it would be very easy to abolish the Selective Service System. Who would notice? Many consider it out-of-date and unnecessary when we have the strongest military force in the world. But it would be a dangerous gamble to assume that we will never again need to rely upon the draft. If the Selective Service System is terminated and our nation was faced with a crisis, it would take more than a year to recreate the System. These sorts of delays could be disastrous in a state of emergency and could prevent a draft from being fair and equitable.

Today's Selective Service System is also prepared to conduct a special skills draft, such as a draft for health care personnel, if the need arises. The ability to enact a health care draft would be critical if our nation ever experiences a military conflict involving mass casualties from nuclear, chemical or biological weapons. This is just one more benefit of a modern Selective Service System that provides an economically efficient way to support our manpower needs in a state of emergency.

If Congress eliminated the Selective Service, it would be more costly to our nation in the long run to recreate the functions of this agency. A GAO study concluded that the costs associated with dissolving the Selective Service System and then gearing it back up would amount to more than $100 million. A decision so important to our ability as a nation to fulfill its constitutional obligations of providing for the common defense should be taken up by the Congressional authorizing committees, not the Appropriations Committee.

Mr. Chairman, the House has debated the status of the Selective Service several times in the past decade and, each time, a clear majority has supported maintaining the Selective Service System. I urge my colleagues to continue this commitment to the Selective Service and vote for the Cunningham amendment.

TRIBUTE TO WILLIAM BARKER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. FARR of California. Mr. Speaker, I rise today to commemorate the passing of William Barker, a leader in the California agriculture community.

A fifth generation Monterey County native, Bill served for forty-three years as the manager of the Monterey County Farm Bureau, guiding the agriculture community through years of profound change. He became manager of the local farm bureau chapter in 1958, when the Salinas Valley had, for the most part, dairies and dry bean farms. Salinas Valley is now a salad bowl, as well as producing wines, cut flowers, organic crops and herbs. Other significant changes developed in environmental and labor regulations, and in the urbanization of farmlands. Bill never failed to keep farmers aware of what was on the horizon and what would be best for the industry.

Bill's emphasis on education programs helped to keep the community-at-large aware of the role that agriculture plays in their daily lives. He was an early supporter of Monterey County Education Inc.; he was deeply involved with local and Statewide 4–H programs and the Future Farmers of America Programs in high schools; and he was founder and Chairman of the County's COLA (Coalition of Labor, Ag and Business).

Bill took a leadership role in the community as well: as President of the Salinas Chamber of Commerce; as a member of the Board of the United Way of Salinas Valley; as director of the Monterey County Fair for 12 years and president of the fair for 3 years; and as President of the Steinbeck Foundation Treatment Center. He was on the Board of Directors of the Monterey Resource Conservation District, and in the 1980's he assisted with the establishment of the Monterey County General Plan.

Bill died January 21, 1999, leaving his wife Norma; two sons, Bill and Tom; two daughters, Carole and Susan, and three grandchildren and a host of friends and admirers. Bill was always an advocate for and champion of the agricultural community. His vision and leadership will be greatly missed.

HONORING MR. ROBERT W. GRAHAM ON THIS, HIS SEVENTY–FIFTH BIRTHDAY, FOR HIS OUTSTANDING SERVICE TO THE COMMUNITY OF JOHNSON CITY, TENNESSEE

HON. WILLIAM L. JENKINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. JENKINS. Mr. Speaker, I rise today to recognize Mr. Robert W. Graham of Johnson City, Tennessee for his ongoing commitment to service toward his community. Throughout his life, Mr. Graham has displayed the hard work and honorable virtue that has won him the respect and admiration of his peers.

Ten years ago, Mr. Graham moved to Johnson City following distinguished service as a government engineer. As one might expect from Mr. Graham, the purpose of his move was to continue his dedication to public service. He organized a local chapter of the Service Corps of Retired Veterans (SCORE), an organization designed to assist under-funded individuals enter into business for themselves. Mr. Graham has been actively involved in SCORE for all of his ten years in Johnson City, and currently serves there as Chairperson of Chapter 584. Under Mr. Graham's watch the program has expanded to include five counties in upper east Tennessee as well as three regional offices.

Mr. Speaker, I am proud to present to this Congress Mr. Robert W. Graham, who this September 18 will be celebrating his 75th birthday, and ask my colleagues to join me in honoring his life of outstanding service and uncommon dedication.

HONORING BOB AND LINDA BARNES ON THE OCCASION OF THEIR RETIREMENT FROM SPRINGVILLE ELEMENTARY SCHOOL

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. REYNOLDS. Mr. Speaker, I rise today in honor of the 43 years of combined service of Robert and Linda Barnes to Springville Elementary School.

Bob and Linda retired from the Springville Griffith Institute School earlier this year, marking the first time in more than two decades neither was there to greet incoming students at the onset of the school year.

Bob served as Principal of Springville Elementary School since 1976. His wife, Linda, has been secretary since 1979. They were married in 1983.

Mr. Speaker, from parental feedback to standardized test scores, Springville Elementary School has thrived under the Barnes'

leadership, ability and devotion. Ninety-eight percent of the students read at levels above the state average; and the majority of second and fourth graders place in the 60th to 80th percentile of the Stanford Achievement Tests.

American historian and writer Henry Adams once noted that ''a teacher affects eternity; he can never tell when his influence stops.'' For Bob and Linda Barnes, the lives they've touched over their years at Springville Elementary School will ensure that their influence carries on far into the future.

But it's not just the children of the Springville community that have benefited from the Barnes' time and talents. Whether the Chamber of Commerce, the Salem Lutheran Church, the Concord Republican Committee, or countless other civic and community activities and organizations, Bob and Linda have always been there to provide a helping hand to their neighbors.

While I'm proud to honor the contributions of Bob and Linda Barnes both to the Springville Elementary School and their community, I'm also honored that they are among my closest and dearest friends. For many years we were next door neighbors, and through morning coffees and late-night conversations, I know how deeply Bob and Linda care about the children of the Springville community, and how sorely they will be missed.

Mr. Speaker, I ask that this Congress join me in saluting Bob and Linda Barnes for their years of service to Springville Elementary School; and in wishing them great health and happiness in their retirement.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. CARSON. Mr. Speaker, I was unavoidably absent yesterday, Monday, September 13, 1999, and as a result, missed rollcall votes 405 through 407. Had I been present, I would have voted ''yes'' on rollcall 405, ''yes'' on rollcall vote 406, and ''yes'' on rollcall vote 407.

HELP AMERICA'S FARMERS & RANCHERS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mrs. EMERSON. Mr. Speaker, I rise today to talk about the continuing crisis in the farm economy and share with this body a copy of a letter I recently received from a constituent in my Congressional Distirct. America's farmers and ranchers are strugglign to deal with some of the lowest commodity prices in decades. Current commodity prices do not even allow farmers to recover their costs of production, much less provide for the needs of their families. When one considers that drought and other damaging weather conditions are also dramatically affecting our crop and livestock production, it is clear that this is nothing short of an emergency situation. And the following letter from a constituent of mine reminds all of us that this situation goes well beyond mere numbers, projections, and statistics. The fact of the matter is that real people are hurting; the livelihoods of real families and real communities are at risk. This letter from Mr. Bill Faris of Hayti, Missouri, the son of a farmer and someone whose family has farmed for generations, highlights the depth of the problems in farm country and explains why all Americans should be gravely concerned about what is happening out on the farm. I hope Members of Congress will keep Mr. Faris' comments in mind as they vote on farm relief measures that will be considered very soon.

BILL FARIS,
Hayti, MO, August 25, 1999.

Rep. JO ANN EMERSON,
The Federal Building,
Cape Girardeau, MO.

DEAR REP. EMERSON, This is a follow up to my earlier letters to you. I had the opportunity to hear you speak at the Rice Field Day on Aug. 18th as I work for the Univ. of MO Delta Center. I was encouraged by what you had to say as you are addressing the central issues facing farmers during this crisis, and it is obvious that you are truly concerned about the plight of our family farmers, and you are taking action to try and help our smaller farmers.

I want you to know I appreciate your efforts on behalf of farmers like my Dad. Unfortunately it is too late for my Dad as I am afraid it will be for many farmers this year.

Dad and I talked the other day, and he told me that he cannot farm after this year. Dad told me that he lost a little over $50,000 last year due to the low commodity prices and adverse weather conditions and he knows that he will lose more this year then last year. At 72, after a lifetime of doing what he loves the most, farming, Dad knows he has to quit before he loses his home and our farm land. Dad said over the last five years he has used more and more of the money he had put back for his and my Mom's retirement to continue farming, but now he has to quit before he loses it all.

Ms. Emerson, it broke my heart to see the pain and frustration on my Dad's face, but it especially broke my heart to see the helplessness in my Dad's eyes, and to know that there was nothing I could do to help ease Dad's pain. The generations of Faris's farming the land end with my Dad. My Dad is a proud man, and he does not cry easily, but I could see the tears in his eyes as he looked over our land with the resignation that he would never farm it again.

Ms. Emerson, the really sad part of this story is that it will be repeated over and over again at the end of 1999. I fear that thousands of family farms will cease to exist, just as ours will.

I sense a helplessness and a lack of hope in our areas farmers, that I have never seen before. All the farmers laugh with no humor at President Clinton's announcement that many farmers are now eligible for low interest loans. Their standard commit is ''what good is a no interest loan let alone a low interest loan when you are losing money each year.'' Their attitude is that our government seems to want the small farmer to disappear and all we will have left is large corporate farms controlled by a few large conglomerates, and I tend to agree with them.

My Dad is not a large farmer; he only farms 500 acres of wheat and soybeans, but his story is sadly going to be repeated over and over again in 1999. Dad is an excellent businessman, and he is one of the most frugal people I know, but low commodity prices have forced him out of farming. On average Dad lost approximately $100 per acre in 1998, and he will lose approximately that much again in 1999. Cotton growers will lose more than that, so you can see what a larger farmer will lose. Our pork producers are facing the same dilemmas as you well know.

Congress must act now, Ms. Emerson, or a way of life that is very dear to me will disappear. Give our farmers legislation that gives them a level playing field in the world markets. Farmers do not need rhetoric from Washington; they need help, and they need it now.

I hope you get a chance to address this issue at our Field Day on Sept. 2nd, and I hope that you can give our farmers some much needed encouragement. I am from Missouri, and our legislators have to show me that they truly care about the plight of our small family farms. I know that you care because you are doing something, please keep up the good work and please keep telling our farmer's story in Washington.

I do not believe many of our legislators realize how serious the problem is, but I know you do.

Again thank you for your tireless efforts on behalf of our farmers, and I wish you health and happiness—especially in your new marriage.

Respectfully yours,

BILL FARIS.

STOP THE KILLING IN EAST TIMOR

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. BEREUTER. Mr. Speaker, the violence and bloodshed in recent days in East Timor has shocked the world. Pro-Indonesia thugs have run rampant in this tiny former Portuguese colony, killing pro-independence Timorese. The political leadership in Jakarta totally failed in its guarantee of safety to the local Timorese populace, and has become the source of shame both for the government and the Indonesian military.

It is clear that an international peacekeeping force will be necessary to restore order in East Timor. As the Omaha World Herald correctly noted in a September 14, 1999, editorial entitled ''First, Stop the Killing,'' this bloody repression must be stopped. ''This is too early to talk about resolving the sides' differences. For now it is enough simply to separate them and try to calm the situation.''

Mr. Speaker, this Member commends to this colleagues the excellent editorial in the Omaha World Herald.

FIRST, STOP THE KILLING

Few Americans take any joy in the prospect of sending peacekeeping troops into the violence and intrigues of East Timor. But the situation is relieved greatly by the announcement that Indonesian President B.J. Habibie now welcomes them.

International pressure was mounting to somehow stop the bloodletting. Having to subdue both pro-Indonesian militias and troops, while at the same time strong-arming the legitimate Indonesian government, would have been a daunting prospect. Now Habibie has conceded the obvious—his defense forces can't control the situation—and so relief may be in sight within a few days. Australia, which is literally in the neighborhood, expects to send a force of up to 7,000 on short-notice deployment.

This is appropriate, given the geography and the fact that Australia has been among the staunchest advocates of intervention. It

will be at least as appropriate when other nations of Asian ethnicity in that part of the world can supplement Australia's effort. So far, at least, this is a regional problem in need of regional solutions.

For these reasons, it also is right for the United States basically to stay out—at least for the short term, and possibly for the long. U.S. armed forces taking part are likely to number in the hundreds. Their role would be in support functions—what National Security Adviser Sandy Berger characterized as ''airlift to bring forces to the region, logistical and transportation capabilities, communications capabilities.''

The boiling over of East Timor can't be justified, but in hindsight the degree to which it caught the international community napping is a little surprising. Indonesia, which sprawls over 17,000 islands and encompasses hundreds of ethnicities and languages, is a nation that for half a century has been held together by smoke, mirrors and the threat of just what is happening now; violent repression.

East Timor's U.N.-sponsored vote for independence was perceived by the militias and the military as a foretaste of similar efforts in other independence-minded regions, of which there are several. And since by the military's and militia's perception, they have only one tool with which to ''repair'' the situation, that's the tool they're using.

The whole world is watching the rivers of blood that are the result. It cries out to be stopped. This is too early to talk about resolving the sides' differences. For now it is enough simply to separate them and try to calm the situation.

Down the road, better solutions are needed—in part for humanitarian reasons, but also for practical ones. Indonesia is flung across a vast reach of water linking the Pacific and Indian oceans, and through this maze of islands threads a major oil-shipping lane. The effects of disrupting that could ripple through economies worldwide.

For now, though, the most urgent need has just one focus: Stop the killing. It's heartening to see events there aimed toward that end.

THE INFLUENCE OF CUBAN AMERICANS

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. DIAZ-BALART. Mr. Speaker, I rise today to commend to you the attached article written by Mr. Frank Calzon, entitled ''Blame Castro, not the Cubans.'' Mr. Calzon is the executive director of the Center for a Free Cuba in Washington, DC, and is a tireless fighter for democratic causes. I believe Mr. Calzon makes an excellent case in his article and I encourage my colleagues to learn from it.

BLAME CASTRO, NOT THE CUBANS

Although prejudice can be found anywhere, Americans might be shocked that bigotry has raised its ugly head in the upper reaches of the Clinton administration.

The pugnacious debate about Cuba has grown uglier since The New York Times quoted unnamed administration officials asserting that Cuban Americans hold U.S.-Cuba policy hostage. If this were said about the NAACP's interest in South Africa, or the Jewish-American community's concerns about Israel, cries of outrage against such bigotry would resound across America.

While critics might object to the influence of Cuban Americans, interest groups (ethnic, regional, professional, corporate, etc.) are simply a fact of life. When Cuban Americans write to their members of Congress, they are exercising their right to petition the government for redress of grievances. When my sisters attend a political rally, they are enjoying the right of assembly guaranteed by the Constitution. Until now, I believed that when my parents register and vote, they are fulfilling a civic responsibility. But now I know that ''a senior government official'' thinks that what they are really doing is ''holding U.S. policy hostage.''

To note the virulent attacks on the Cuban-American community is not to assert that its members are exempt from responsibility for the shrillness of the debate. We are not. But it might be instructive to remember that whether it was workers attempting to unionize 100 years ago, African Americans demanding an end to discrimination in the 1960s, or women struggling to achieve equality today, the victims of great injustices are sometimes a nuisance to those not interested in their plight.

What could Cuban Americans say that would be so objectionable?

That the administration's accords with Fidel Castro have been negotiated in such secrecy that sometimes not even the Cuba desk at the Department of State is informed.

That the ''adjustments'' in Cuba policy are often presented as *fait accompli*, ignoring the Congress and U.S. laws.

That the government's spinning and lawyerly hair-splitting over-shadow Cuba policy, promoting a mind-set that believes in giving Castro the benefit of the doubt. The most recent example: the suggestion that a legal opinion is needed to determine whether the embargo statutes prohibit not only American sales to the Cuban government but also sales through the Cuban regime

The debate provides a sobering commentary on the values held by some American elites on the eve of the 21st Century.

For some, Castro is the one remaining beacon in a pantheon that once included Josef Stalin, Mao Zedong and Ho Chi Minh. As long as Castro or North Korea's Kim Iong Il, the son of the deceased Kim Il Sung, remain in power, it can be said that the socialist experiment has not been a complete fiasco.

Yet the American people have an instinctive aversion to tyranny and object to providing assistance that could lengthen Castro's rule. Most Americans agree that the problem is Castro, not the Cuban Americans. Because Castro refuses to base U.S.-Cuban relations on any—sort of reciprocity-and certainly because of his abhorrent human-rights record—those seeking to soften the sanctions rely on ''spinning'' policy, redefining the meaning of the law and slandering the Cuban-American community.

How did it come to be, that without further congressional action, the Cuban Adjustment Act—which protected Cuban refugees since the mid-1960s—now has a different meaning?

Furthermore, what prevents other laws from being subjected to similar whims of the executive branch?

What prevents other communities—blacks interested in South Africa, Irish-Americans concerned about Ireland and Jewish-Americans following events in Israel, for instance—from being accused by unnamed government officials of holding American policy hostage because they disagree with the government?

The implications of this issue obviously extend beyond Cuban Americans.

TRIBUTE TO LIEUTENANT GENERAL JAMES E. MOORE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. FARR of California. Mr. Speaker, I rise today to note the passing of Lieutenant General James E. Moore on January 30, 1999. General Moore served bravely in battle, and served the community equally well in overseeing the closure of Fort Ord Army base.

General Moore was born into the military, at Fort Thomas Kentucky on June 28, 1931. He grew up both in the United States, much of those years near Salinas California, and in China. After graduation from West Point, he earned his master's degree in education from Columbia University. He also graduated from the Air Command and Staff College and the Army War College. He commanded a combat battalion in the 25th Infantry Division in the Central Highlands of Vietnam in 1966 and 1967. His leadership skills were recognized when, in 1985, General Moore was assigned the command of the combined field army in Korea, the largest field army in the free world. His honors include the Distinguished Service Medal, Silver Star, Air Medal, Combat Infantryman's Badages, Legion of Merit with an Oak Leaf Cluster, Meritorious Service Medal, Army Commendation Medal, Senior Parachutist's Badge and Ranger tab. General Moore was a man of modesty and compassion, putting the troops ahead of himself, even letting the soldiers eat first when he joined them in the mess hall. He has been described by colleagues as a gifted, natural leader.

When General Moore retired in 1989, he and Joan, his wife, returned to the Fort Ord area. Within a few months, the Army announced base closure plans, with Fort Ord one of the first designated for conversion. Then-Congressman Leon Panetta, aware of General Moore's accomplishments and his willingness to be of service to the community, urged him to establish a task force that would undertake the monumental job of coordinating federal, state and county agencies with the 12 cities in the area and with the military. There were no precedents for the undertaking. Working on a volunteer basis, General Moore spent over two years overseeing comprehensive studies, discussions and negotiations, finally producing a 600-page document that has become the blueprint for military conversion and reuse planning.

Although he continued to participate peripherally in the continuing reuse planning, General Moore again went into retirement, looking forward to reading, traveling, photography and his hobby of building model sailing ships. The appreciative community honored his contributions with a dinner at the Monterey Conference center.

Lieutenant General James E. Moore is survived by his loving wife, Joan; his three daughters, Elizabeth, Susan and Mary; and his four sons, James Moore IV, Robert, Michael, and Matthew; a step-mother Annie; and his sister Patricia, and eleven grandchildren. He was a born leader, a mentor, a man who generously gave and received great respect. he undertook the most challenging tasks with a positive attitude, so it is no wonder that his achievements were many. Everyone who had

the privilege to know him, and to work alongside him, was influenced by his greatness. He will be sorely missed.

TO RECOGNIZE THE SIGNIFICANCE OF MEXICAN INDEPENDENCE DAY IN THE CITY OF INDIANAPOLIS

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. CARSON. Mr. Speaker, I rise today to recognize the celebration of the anniversary of Mexico's Independence Day by the residents of Indianapolis.

There are over thirteen million people of Mexican origin or descent currently living in the United States. Hoosiers of Mexican descent have made vital economic, social, and cultural contributions to the City of Indianapolis. On September 15, 1999, St. Patrick's Church of Indianapolis will host a community celebration in honor of Mexico's independence.

In 1810, 189 years ago, Miguel Hidalgo y Costilla, a Franciscan Priest, voiced ''El Grito de Dolores,'' imploring the Mexican people to fight for their freedom and liberty, revolutionizing the course of Mexican history. Upon ringing the church bells to announce to the world that a new movement for freedom had begun, the venerable and revered Hidalgo proclaimed, ''Long live our Lady of Guadalupe, Death to the Gachupines! Viva La Independencia.''

Today, Hoosiers of Mexican descent posses a love for freedom and liberty that honors their heroic forbears who undertook the courageous battle for Mexican independence. As the struggle for freedom began at the footsteps of the church, it is fitting that another church and another priest, Father Thomas Fox, will help to lead the Indianapolis community celebration of this anniversary.

As we prepare to cross the threshold to the 21st Century, the good work of the entire St. Patrick's family ensures that Indianapolis makes welcome all whose hopes and dreams have led them to our community. It is with much joy that I join the St. Patrick's community in exclaiming ''Viva Mexico!''

MOUNT LEBANON BAPTIST CHURCH

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. NORTON. Mr. Speaker, in November 1899, the Reverend Theodore Williams, a recent graduate of the School of Theology at Howard University was inspired by God to establish a mission which was named High Street Baptist Church. The mission worshiped in an old jail, a former detention center for runaway slaves, on High Street, now Wisconsin Avenue, NW, in Georgetown. Later, the church held worship services at the Seventh Street Baptist Church—which is now named Jerusalem.

Mr. Speaker, on July 22, 1901, a recognition council was called, and High Street Baptist, which now had thirty-four members, was recognized as a regular Baptist Church. The congregation continued to grow, and in November 1904 purchased and relocated to a new site at 814 25th NW and was renamed Mount Lebanon Baptist Church. An all-day service was held on Sunday, November 19, 1908, in thanksgiving for the completion of the work of renovating this property. Six years later (1914), the congregation demolished that building and constructed a new building, to the glory of God, on the same site. The mortgage for the new building was burned in 1919. In April 1923, after 24 years of inspired and zealous leadership and service as pastor, Reverend Williams was called to his reward. He was succeeded by the Reverend John Ford, who served as pastor from 1924 until 1932 when he left to accept a new charge.

In November 1932, the Reverend Edgar Newton was installed as pastor. His motto was ''Follow me as I follow Christ.'' Much was accomplished during his leadership of almost thirty-nine years. New clubs (ministries) and a building fund were established, significant growth in membership was accomplished, two properties adjacent to the church were purchased, services to members and the community were expanded, and the site of the present church was purchased. In addition, three mortgages were burned—two at the 25th Street site and one at the present site, 1219 New Jersey Avenue, NW, to which the congregation relocated on January 27, 1963. Reverend Newton retired in June 1971; and on June 18, 1974, he was called from service to reward.

The Reverend Vernon C. Brown, a son of the church, succeeded Reverend Newton to the pastorate on November 12, 1972, and served faithfully until his retirement on December 31, 1991. Under his leadership, programs of services to members and the community were expanded, including services to senior citizens and a ''feed the hungry'' program providing balanced hot meals at least once per week. His motto was ''The family that prays together stays together.''

From the time of Reverend Brown's retirement until November 1992, pastoral duties were shared by three sons of the church, the Reverend Norman King, the Reverend Benjamin C. Sands, and the Reverend William O. Wilson.

In November 1992, the Reverend H. Lionel Edmonds became the fifth pastor of the church. Pursuant to his vision of ''building the beloved community'', great strides have been made including nearly quadrupling the membership and the establishment of new ministries to meet the spiritual, physical, and intellectual needs of members and the community. These include a Cedars Discipleship Institute (Christian education); Sons of Simeon (men's ministry); Daughters of Miriam dance classes; boys' basketball and football teams; classes to develop job skills in computers, lock smithing and electricity; health and beauty workshops; aerobics classes; and a soon-to-be-opened child development center. All services are open to the community as well as to members of the church.

Mount Lebanon's community service extends beyond it's immediate environs. Through very active involvement in the Washington Interfaith Network (WIN), an interdenominational coalition of churches from all eight of the city's wards, it also participates in other city-wide programs to provide low-cost housing for families and after school care for children, reduce crime, provide education/job skills to citizens, and to assure a living wage for all persons employed in the city.

Mr. Speaker, through worship and community service, Mount Lebanon carries out its slogan, ''We serve a great God; we are a great people; and we are about a great work.''

Mr. Speaker, I ask that the members of this body join me in congratulating the Mount Lebanon Baptist Church, and celebrating the spiritual understanding that has guided their path for 100 years.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. BECERRA. Mr. Speaker, on September 14, 1999, I was unavoidably detained during a rollcall vote: No. 409, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 1883, the Iran Nonproliferation Act of 1999. Had I been present for the vote, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. HULSHOF. Mr. Speaker, due to travel delays, I was not present for rollcall votes 405, 406 and 407 on September 13, 1999. Had I been present, I would have voted ''yea'' on rollcall vote 405, ''aye'' on rollcall vote 406 and ''aye'' on rollcall vote 407.

FROM THE INLAND EMPIRE TO THE WORLD: 75 YEARS OF THE BEST ORANGES

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. LEWIS of California. Mr. Speaker, I rise today to pay tribute to the Redlands Foothill Groves citrus cooperative, which for the past 75 years has been packing the very best navel oranges in downtown Redlands and sending them throughout the world.

Chroniclers of California history have suggested that the lush orange groves of the Inland Empire were as important to the growth of the Golden State as the gold rush itself. From the time that the first navel oranges were successfully grown in towns like Redlands, Loma Linda, Highland and East Highlands, California became known as the producer of the very best fruit.

The groves that once covered 49,000 acres of San Bernardino County have dwindled to just over 5,000, but the fruit produced by the members of the Redlands Foothill Groves is still considered some of the best in the world. Much of the crop that is packed here is shipped overseas, where it commands a premium price as a delicacy. The packinghouse

is one of only two remaining of the 33 that once were the economic heart of Redlands.

Redlands Foothill Groves has harvested 57,257,959 field boxes of citrus since it was founded on Sept. 15, 1924. The fruit is marketed today through Sunkist Growers, Inc.

Mr. Speaker, please join me in congratulating association president C.R. McKeehan, general manager Tim Farmer and the 220 growers of Redlands Foothill Groves as they celebrate this milestone in good taste.

TRIBUTE TO ANNA MAE BOX

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I take this opportunity to pay tribute to an outstanding mother, community activist, leader and citizen who fit the category of unsung heroine.

Ms. Anna Mae Box was born on January 5, 1928, on the westside of Chicago to Earlie and Lula Woods and lived there for the rest of her life. She grew up, went to Alfred Tennyson Elementary, John Marshall High and Chicago State University.

On December 7, 1942, she married Mr. Eugene Box Sr., and in 1959, they moved to 4114 W. Arthington Street in Chicago, where they raised their children and spent the rest of their lives.

As a resident of 4114 W. Arthington, Ms. Box became a dedicated community worker, striving to prevent erosion of values and urban decay. She worked untiringly with Presentation Catholic Church and School and the Daniel Webster Public School. When the Chicago Public School System began a program of aggressively pursuing involvement and participation of citizens, Ms. Box became one of the very first school community representatives and all of the schools in her district came to know and to love her. I too, Mr. Speaker, was privileged to know, love and respect both her and her family, because for many years I lived in the very small community, two blocks over. Therefore, my knowledge is first hand. Her vibrancy and spirit of positivity was a highlight of her presence, her work and her being. On September 18th, 1999, upon initiation by the Honorable Michael D. Chandler, Alderman of the 24th ward, the Chicago City Council will be renaming the 4100 block of West Arthington Street, to Anna May Box Street.

I salute this act to honor the life, work and legacy of a great woman and wish her family well as they carry on in her tradition. Edwina Box-McGee, Willie Box, Jr, Patricia Box-Baker and all of the family have my best wishes as you celebrate and renew your own commitments to community service.

THE KNIGHTS OF COLUMBUS CELEBRATE THE CENTENARY OF THE STATE COUNCIL IN THE DISTRICT OF COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. NORTON. Mr. Speaker, the Order of the Knights of Columbus is an international Catholic family and fraternal service organization founded in 1882 in New Haven, Connecticut, by a 29-year-old parish priest, Father Michael J. McGivney, as a means for mutual social and financial support (self-insurance) among young Catholic men and their families. From its original 30 members from St. Mary's Parish, the Order has grown to more than 1.6 million members worldwide and, unlike many other similar fraternal organizations, is still growing.

With its strong American orientation, in contrast to the focus on ancestral homelands and languages of ethnic or immigrant-centered societies, the fledgling organization had a broad appeal in the United States, expanding first through New England and then down the Atlantic Coast. In the Order's 15th year, 1897, Washington Council No. 224 was instituted in the District of Columbia.

Within two years of the establishment of the Order in the District of the Washington Council, four other councils were instituted in the District: Keane Council No. 353 and Carroll Council No. 377 in 1898, and Spalding Council No. 417 and Potomac Council No. 433 in 1899. The first public appearance of the Knights of Columbus, as an Order, in the Nation's Capital was at the dedication of the Franciscan Monastery on September 17, 1899.

With four councils and several hundred members in the District, the Supreme Council, the governing body of the Order, relinquished its direct supervision of these four councils by instituting the District of Columbia State Council on April 27, 1899. The State Council is the intermediate level of government within the Order's organizational structure whereby the councils within the State jurisdiction, in accordance with the Bylaws of the Order, can legislate their own affairs and elect State officers. This includes the Deputy Supreme Knight, or State Deputy, who serves as the chief executive officer for the jurisdiction. State Councils, in turn, collectively elect the leadership of the Supreme Council.

Mr. Speaker, in the more recent years of the 20th century, another 12 councils have been instituted in the District of Columbia, including councils at Catholic University of America and Georgetown University. The 17 councils in the District of Columbia have a combined membership of approximately 1900 Knights and their families.

Mr. Speaker, the Knights of Columbus are dedicated to four major principles: Charity, Unity, Fraternity, and Patriotism. Patriotism, the promotion of responsible citizenship and good government, is the special focus of the Fourth Degree of the Order. The Knights, in colorful capes and chapeaux at ecclesiastical and patriotic functions are members of the Color Corps of the Fourth Degree, the ''visible arm'' of the Knights of Columbus.

Of these four principles, Charity is the basic principle of the Order. Within the Order's ''Surge . . . with Service'' program, the major program areas are service to Church, Community, Family and Youth. Within these program areas, in 1998, the Knights of Columbus Order-wide raised and distributed $110,692,742 for charitable and benevolent causes. In addition, Knights worldwide volunteered a total of 55,033,160 hours of service to others.

Of these total numbers for 1998, the 17 councils within the jurisdiction of the District of Columbia raised and distributed $177,008 and volunteered a total of 109,756 hours in service to others in the four primary programs. Notable within these figures is the support to care of the elderly through The Little Sisters of the Poor (a relationship dating back to 1899), and to persons with developmental disabilities through support of the Lt. Joseph P. Kennedy Institute for the past three decades.

Mr. Speaker, throughout the 117-year history of the Knights of Columbus and, most particularly the 100-year history of the District of Columbia State Council, the Order has been in the forefront of service to the Church, the Community, Families and Youth and, most especially, in service to the United States. The greatest gift of the Knights of Columbus to mankind is the truly personal commitment of time and energy individual knights and their families give of themselves to charitable and benevolent causes. The Knights of Columbus, within the jurisdiction of the District of Columbia State Council are dedicated to maintaining and, indeed, increasing the level of service to others in the new Century and Millennium fast approaching.

Mr. Speaker, I ask that all of my colleagues join me in saluting the District of Columbia State Council of the Knights of Columbus for a century of selfless service and patriotism.

TRIBUTE TO LANE KIRKLAND: CHAMPION FOR WORKING PEOPLE IN AMERICA AND AROUND THE WORLD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. LANTOS. Mr. Speaker, America lost one of its most prominent and honored patriots on August 14 when Lane Kirkland, the president of the AFL–CIO from 1979 to 1995, passed away. He devoted his life to advancing the interests of our nation's working families, and what he achieved has benefited millions of our country's citizens.

Mr. Kirkland will long be remembered for reunifying the labor movement, welcoming the United Auto Workers, the Teamsters, and other major unions back into the AFL–CIO. He will also be remembered for his steadfast advocacy for civil rights. As a national labor leader during the 1960's, he rallied organized labor behind the Civil Rights Act of 1964 and other anti-discrimination measures. He will also be remembered fondly for his passion as a self-professed ''pure and simple and unreconstructed'' supporter of Franklin Delano Roosevelt's New Deal, one who believed in the responsibility of government to help create hope and opportunity for those less fortunate. The influence of Lane Kirland's convictions, however, did not stop at America's borders. He fought for freedom and human rights around the world, and future generations will long remember him as a man who helped create the first cracks in the Iron Curtain.

Throughout his half-century in the leadership of the AFL–CIO, Kirkland never shied away from his principal belief that the labor movement must not ignore the struggles of its oppressed counterparts abroad. He placed the full weight of America's unions behind condemnation of racist apartheid in South Africa

and opposition to dictators in Cuba, Chile, and China. Kirkland forcefully and decisively undermined the Marxist claims of Fidel Castro and Leonid Brezhnev to the sympathies of the world's workers. He sent a message to the peoples of the world that America's working men and women would fight against any form of totalitarianism and repression. Kirkland's actions ensured that this message would not be ignored.

During the early 1980's, a small collection of shipyard workers in Gdansk, Poland, courageously organized in opposition to their Communist government. During the course of that decade, the Solidarity labor movement under the leadership of Lech Walesa grew to embody the desires of the Polish people for freedom and democracy, and it brought Polish society together in the successful effort to topple an unjust dictatorship. The unwavering support of Lane Kirkland for Solidarity provided enormous assistance to the movement and added to its strength at a critical time when the Polish Communist leadership sought to stamp it out. At Kirkland's direction, the AFL–CIO channeled money, organizers, machines, and other assistance to Walesa's foot soldiers. At the end of the decade-long struggle the Polish dictatorship collapsed, and Walesa became Poland's democratically elected president. As Henry Kissenger noted, ''The success of Solidarity owes a lot to Lane.''

Mr. Speaker, in 1994 Lane Kirkland's extraordinary contributions were recognized by President Bill Clinton, who awarded him the Presidential Medal of Freedom for his commitment to democracy and human rights around the world. President Clinton's words about Mr. Kirkland are both moving and accurate: ''Throughout the Cold War, when some leaders saw only the threats to our freedom overseas and neglected the barriers to freedom and inequality within our own land, Kirkland showed America that you can stand up to communism abroad just as forcefully as you can stand up for working men and women here at home.''

Mr. Speaker, I invite my colleagues to join me in offering condolences to Lane Kirkland's widow, Irena, and to his children and grandchildren. It is most appropriate, that we honor and pay tribute to this outstanding leader. Lane is a credit to the American labor movement, as well as a credit to all who fight for human rights and civil liberties both here in America and around the world.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 9, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2684) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes:

Ms. KAPTUR. Mr. Chairman, I rise today to express my serious concern with the Veterans, Housing and Urban Development, and Independent Agencies for fiscal year 2000. I recognize the difficult balancing of priorities which the Chairman and the Ranking Member must do with the array of competing interests within this bill. But I find it ironic that the House in the space of one month can pass a tax bill that gives special breaks to select groups but cuts funding for the neediest of all—undermining our efforts to fuel the dream of home ownership for all Americans, reducing our efforts to create jobs, and revitalizing the forgotten corners of our towns and cities. America should do what is right.

The Subcommittee funded VA Health Care at $1.7 billion, but the veterans' organizations submitted to the Congress the Independent Budget which calls for an increase of $3 billion—a more realistic estimate of the need. This bill does not go far enough to provide for the growing health care needs of our veterans as we enter the 21st Century. America should do what is right.

I am seriously concerned about the adequacy of the Veteran Administration's response to the medical needs of 650,000 veterans with chronic mental illness. I am specifically concerned that as a result of (Veteran Health Administration) VHA's decision to rapidly downsize psychiatric hospitals, veterans with mental and substance abuse disorders are not receiving proper treatment and the services that they need and deserve.

In particular, dollars saved by eliminating beds from inpatient psychiatric facilities are not being redirected to serve veterans with mental illness in the community. Between FY 1995 and FY 1997 the number of seriously mentally ill veterans treated at inpatient facilities decreased by nearly 20%. Currently, there is no indication that the twenty-two (Veteran's Integrated Service Networks) VISNs are compensating for the lack of inpatient care with either adequate alternative care settings or community-based services for veterans with mental illness.

Frightening, over two-thirds of VHA outpatient facilities do *not* provide mental health care. Neither do they provide case management services for these veterans. Case management is essential for mentally ill veterans because of a pervasive lack of financial and family support. In addition, many members of this group need continued attention because they suffer from the dual diagnosis of mental illness and substances abuse.

I am deeply concerned that the structural changes within VHA and the lack of community-based services threaten many veterans with homelessness. Sadly, 40% of all homeless males are veterans.

I offered report language that emphasizes the need to reinvest resources in alternative community-based mental health services, including prescription drugs. The current situation of veterans who require treatment for mental illness should be a source of shame and embarrassment, and America should do what is right.

The sad reality is that not everyone is sharing in the economic prosperity of the booming '90's. Instead of being financially able to invest in a home, over 12 million people are paying over 50 percent of their salary on rent. This bill fails to help these families. In fact, the bill will cost northwest Ohio 448 housing units for cash-strapped families next year. This bill also takes major swipes at many of our neediest citizens and their communities, ranging from cutting funding that keeps children safe from lead paint poisoning to denying housing for people with AIDS and for seniors. America should do what is right.

The bill cuts Community Development Block Grants (CDBG) by $250 million, which would result in a loss of vital community development projects, and the 97,000 new jobs that would be created. Just in Toledo, our city would lose $3.8 million of current funding. The State of Ohio would forego over $7.3 million in community development assistance so vital to revitalizing all corners of our State. For the last 6 years, the Majority has been preaching community empowerment, CDBG is the essence of community empower. By giving communities the flexibility to create their priorities to invest CDBG funds, it empowers them to address their community's need as they see fit.

The bill denies the Administration's request for incremental housing vouchers resulting in 128,000 families being denied housing vouchers.

The bill would increase children's exposure to lead paint poisoning by cutting the Lead Hazard Control Grant program.

The bill would slow the fight against housing discrimination by cutting the Fair Housing Assistance and Fair Housing Initiatives Programs. In my community, these funds have given the opportunity for many minority applicants to achieve the American dream of owning a home.

The bill also fails to fund the rehabilitation of almost 28,000 units that would create quality housing for low- and moderate-income renter and owner families.

The bill would result in almost 16,000 homeless people and persons with AIDS being denied essential services because of the cuts in homeless and Housing Assistance for Persons with AIDS (HOPWA) programs.

I would like to thank the Chairman and the rest of the Subcommittee Members for their support of report language that I offered that would help the residents of public housing by offering, what most Americans take for granted, which is adequate amount financial services located near where they live. Unfortunately, in our country, financial services are less common and less likely to be located in poor to low-moderate income neighborhoods. HUD, in conjunction with the National Credit Union Administration (NCUA) will study the feasibility of opening credit unions in public housing. With the introduction of credit union in public housing, we can cut down on welfare fraud and encourage financial independence.

The bill cuts NASA by $1 billion. This cut will harm future space exploration programs, force NASA to slash programs and personnel and cripple our nation's basic scientific development for decades. This bill will drastically hurt our ability to maintain the balance of trade advantage in the first ''A'' in NASA—Aeronautics. This budget inhibits our ability to advance future developments of technology that will allow America to compete in the aeronautics industry in the 21st Century. We must do what is right.

In conclusion, I am here today to urge my colleagues to do better for America, for the men and women veterans to whom our nation

owes a great debt, for the families in desperate need for housing throughout this Nation, and protect basic research for the benefit of all Americans as we enter the 21st century.

IN RECOGNITION OF ART IBLETO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize my good friend, Art Ibleto, who is being honored this month by the Order Sons of Italy in America-Grand Lodge of California for his lifetime of achievements.

Mr. Ibleto served as President of the Grand Lodge of California from 1995–1997 and will receive the accolades of friends and family at the Lodge's 74th Anniversary on September 18, 1999.

Mr. Ibleto's accomplishments are many. As a young man during WW II in Italy, he joined the underground to fight against Nazi Germany and the Fascists. His specialty was demolition—planting explosives under bridges and railroads and in highway tunnels to hinder the German advance.

Following the war, Mr. Ibleto immigrated to the United States and eventually settled in Sonoma County where he worked in the fields picking vegetables and as a mechanic, truck driver and factory worker.

He married his wife, Vicki Ghiradelli Ibleto, in 1951 and they bought their first home and acreage in 1961. Art and Vicki raised hogs and cows and harvested potatoes before moving on to the more lucrative ventures of growing Christmas trees and building and renting duplexes.

Art and Vicki became members of the Sons of Italy, Pentaluma Lodge 1518 in 1958. He served in various offices of his local lodge, including two terms as President. He also served as Grand Deputy to the Santa Rosa Lodge for many years, National State Delegate for 24 years, State Vice President for four years, and eventually attained the office of State President in 1995. In his leadership roles at the local, state, and national levels, Art has diligently promoted Italian culture, language and cuisine.

In 1974 Art started the Spaghetti Palace at the Sonoma County Fair as a United Lodges, Sons of Italy project. In a very short time, the Spaghetti Palace became the number one vendor at the county fair, a distinction it has sustained through the 1999 season.

As a result of the success of the Spaghetti Palace, Art took on a new career of supplying local stores with his own line of Italian cuisine and catering special events. He is known throughout California for his savory dishes and has earned the title of the ''Pasta King.''

Art is now the new owner of a vineyard and soon will be shipping wine under the Ibleto Winery label.

Mr. Speaker, because of Art Ibleto's commitment to his native country and to the Italian American people in the United States, it is fitting and proper to honor him today for his many accomplishments and contributions.

A TRIBUTE TO ROBERT P. MIELE

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mrs. NAPOLITANO. Mr. Speaker, I want to congratulate Robert P. Miele on his retirement after 34 years of distinguished service to the people of Los Angeles County, California through his work at the County Sanitation Districts.

Over the course of his long career at the Sanitation Districts, Bob Miele has worked diligently to protect the health and safety of Los Angeles County's residents by helping to build the Districts into one of the largest, most efficient and technologically advanced wastewater treatment and solid waste disposal systems in the world.

Bob began his career at the Sanitation Districts in 1965 as a Project Engineer, after completing his Master of Science degree in Sanitary Engineering at Pennsylvania State University. He rose steadily through the ranks to become the Head of the Research Section of the Technical Services Department, the Assistant and finally the Head of the Technical Services Department, a position he has held for the past twenty years.

As Head of the Technical Services Department, he has overseen the day-to-day operations of a truly impressive organization. The Sanitation Districts serve five million people and nine thousand industries in Los Angeles County. In addition to providing advanced wastewater treatment and solid waste disposal, the Districts also perform effluent and water quality monitoring, laboratory support, scientific research, and importantly in Southern California's dry climate, reclamation of millions of gallons per day of water that can be reused to keep Los Angles County green and replenish its vital aquifers. Bob Miele's leadership has been important in ensuring the great successes of these operations.

Bob is also deserving of highest commendations for the many outstanding contributions he has made to state and national organizations concerned with water quality and sanitation. Throughout his illustrious career he has served as a member, a chairman, and a founder of numerous organizations including: The California Association of Sanitation Agencies, the Southern California Coastal Water Research Project, the Waste Reuse Association of California, the Association of Metropolitan Sewerage Agencies, and others.

As a former Director of the Southeast Los Angeles County Sanitation District, I am very pleased to offer this tribute to Robert P. Miele for his outstanding record of exemplary service to he Los Angeles County Sanitation Districts and to extend sincere best wishes to him in his retirement.

CONGRATULATIONS J.W. ''SKIP'' TINNEN UPON HIS RETIREMENT

HON. PAT DANNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. DANNER. Mr. Speaker, my good friend and constituent, J.W. ''Skip'' Tinnen will soon be retiring from the board of directors of Saint Luke's Northland Hospital and I want to express my best wishes to him on this occasion.

Skip was first elected to the board of directors of the Spelman Memorial Hospital (which later became Saint Luke's Northland Hospital in 1978.) He served as an active member of the board until January 1999, when he was elected to Emeritus status, and he continues to serve in this capacity. He is the first member of the board of Saint Luke's Northland or Spelman Memorial Hospital to serve in this role.

Skip has actively served on many committees of the hospital board including Finance Committee; Long Range Planning Committee, Joint Conference Committee, Public Relations & Personnel Committee and Strategic Planning Committee. During the years 1994 and 1995 he had a perfect attendance at hospital board meetings. He has been very active in the expansion of the hospital facility. Also, he has been an active supporter of the philanthropic efforts of the hospital which include the golf classic and serving as vice president of the Spelman Medical Foundation.

Not only has Skip served the local health care community, he is also active in many civic and community organizations. He is the owner of the Plattsburg Leader newspaper and is very active with the Northwest Missouri Press Association.

Skip Tinnen's contributions to Saint Luke's Northland Hospital, the community, the sixth Congressional District of Missouri and our Nation should not go unnoticed. For all his many efforts on behalf of that which is good in our country, I want to say ''Thank you,Skip, job well done.''

INTRODUCTION OF THE UNIVERSAL PRE-KINDERGARTEN AND EARLY CHILDHOOD EDUCATION ACT OF 1999

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Ms. NORTON. Mr. Speaker, today, I rise to introduce the Universal Pre-Kindergarten and Early Childhood Education Act of 1999 (Universal Pre-K), a bill to begin the process of introducing universal pre-kindergarten into the nation's public schools by adding an additional grade in elementary school as an option for every 4-year-old child, and in some cases under 4, regardless of income. I seek to include my bill in the Elementary and Secondary Education Act (ESEA), which is scheduled to be reauthorized during this Congress. The authorization task will be to reshape the federal government's role to fit the challenges of the next century, which parents and school systems are already experiencing. In particular, the new science on brain development, decades of successful experience with high quality Head Start programs, and definitive data from an array of the best experts all indicate that the expansion of universal pre-kindergarten is the next frontier in education.

The bill I introduce today adds a section to Title X, Part I of ESEA, entitled the 21st Century Community Learning Centers, aimed at

using schoolhouses as centers of neighborhoods. Under this new program, any school district in the United States may apply to the Department of Education to fund pre-kindergarten educational classrooms. Grants funded under this § 10905 of the ESEA totaled nearly $100 million during fiscal year 1999, at an average of $375,000 per three year grant. Universal Pre-K grants will seek to rapidly encourage school systems to permanently add pre-kindergarten classrooms to the elementary school grades and to their own school budgets, using the experience they acquire from the federally funded program. The bill will allow school districts throughout the United States to systematically begin organized 4-year-old classes to demonstrate how children respond to earlier child education. Districts will craft models for capitalizing on the elusive window for early brain development, and the pre-kindergartens will provide an alternative for desperate parents who today are left to daycare with little, if any, educational component, or to the homes of people with no background in child development. Because the programs must be in regular school buildings with teachers equivalent to those who teach in other grades, widespread problems with unqualified aids, non-compliant building codes or inadequate facilities will be eliminated automatically. The program in this bill would not displace existing daycare programs as an option. Its purpose is to encourage local school budgets based on demonstrated experience provided by grants under this bill.

The new science shows that brain development determining lifelong learning begins much earlier in infants and children than was previously believed. The bipartisan Congressional Caucus for Women's Issues held hearings during the 105th Congress, which were among the first hearings to explore brain development in children from birth to age 3. Experts testified to new scientific evidence concerning the critical need for early brain stimulation beginning in infancy to assure that the child develops the necessary cognitive, linguistic, emotional and motor skills. During the early years, a child's brain begins to develop the neutral connections that lay the foundation for the rest of life. According to experts, the longer the brain grows without sufficient stimulation during these critical first years, the less likely the child is to develop fully the neutral connections needed for a wide variety of higher brain functions later in life. To lose the irreplaceable years at the beginning of a child's life when the brain is forming is to miss periods of development that cannot be retrieved.

Early childhood education is not new, of course, but beginning education in the very first years has just begun to be deeply explored. As early as 1647, Massachusetts required that children as young as three years of age learn to read the Bible. German immigrants brought kindergarten, designed to be a ''play garden,'' to the United States in the mid-nineteenth century and often included children younger than 5 years of age. As early childhood education spread in this country in the latter part of that century, states such as Vermont and Connecticut incorporated kindergarten into the public school system. For the most part, however, the kindergartens of the late nineteenth and early twentieth centuries were supported by philanthropists as a way to free low-income mothers to work and to provide education as a way out of poverty. Today kindergarten is a universal option in the United States.

More recently, we have seen great success in many early education programs, including many Head Start programs, which target low-income children beginning at age three through third grade. The success of high quality Head Start and other pre-kindergarten programs combined with the new scientific evidence concerning the importance of brain development in the early years should compel the expansion of early childhood education to all of our children. Traditionally, early learning programs have been available only to the affluent who have the resources to take advantage of preschool opportunities and to poor families in programs such as Head Start, who may need extra help. Research on high quality early learning programs uniformly demonstrates that graduates are less likely to be arrested than other students; are less likely to be held back; are less likely to need special education; and are more likely to achieve a higher level of education attainment.

Parents of children under age 5 who attend daycare pay an average of $79 weekly, or $4,000 annually. Yet, undergraduate tuition at the University of Virginia is about $4,800 annually and about $6,000 at the University of Michigan. Over 60 percent of mothers with children under age 6 work, a proportion that is increasing as more women pour into the workforce, including welfare-to-work mothers now rapidly moving to jobs. For the average family, the need is palpable and the expense is exorbitant. The vast majority of families cannot afford the cost of childcare, with the result that parents place their children wherever an accessible place can be found, regardless of quality. Even subsidized early childhood education reaches only a small fraction of low-income children.

This bill seeks to demonstrate that we can achieve meaningful and significant gains in preparing American children for a lifetime of learning by taking fuller advantage of the early malleability of their developing brains at an early age. The absence of viable options for working families to educate their children at the most important stage in life demands our immediate attention. Considering the staggering cost of daycare, the inaccessiblity of early education, and the opportunity earlier education offers to improve a child's chances in life, 4-year-old kindergarten is overdue. I urge my colleagues to use the opportunity presented by the reauthorization of ESEA to make up for lost time by incorporating the Universal Pre-KindergartenAct.

H.R.—

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Universal Pre-Kindergarten and Early Childhood Education Act of 1999''.

SEC. 2. USE OF COMMUNITY LEARNING CENTER FUNDS FOR PRE-KINDERGARTEN PROGRAMS.

Section 10905 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8245) is amended—

(1) by striking ''Grants awarded'' and inserting ''(a) IN GENERAL.—Grants awarded'';

(2) by inserting after ''may be used'' the following: ''to plan, implement, or expand pre-kindergarten programs described in subsection (b) or''; and

(3) by adding at the end the following new subsection:

''(b) PRE-KINDERGARTEN PROGRAMS.—A pre-kindergarten program described in this subsection is a program of a community learning center that provides pre-kindergarten curriculum and classes for students 4 years of age or younger and is taught by teachers who possess equivalent or similar qualifications to those of teachers of other grades in the school involved.''.

IN HONOR OF PHILIP J. McLEWIN

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to recognize Philip J. McLewin's twenty-five years of leadership and service on behalf of the Bergen County Central Trades and Labor Council, AFL–CIO, including sixteen years as President of the Council.

It is a unique honor and privilege for me to acknowledge Phil's extensive efforts on behalf of working men and women. In addition to being a fierce advocate for workers, he has been a good friend and I will miss working with him on those issues that are important to America's families.

For over two decades, Phil's extraordinary leadership has brought an unprecedented brand of determination and purpose to the cause of the labor community of northern New Jersey. Thanks to Phil's advocacy, working men and women of Bergen County can go to sleep at night secure in the knowledge that they have a safe workplace, fair wages, and a reasonable pension.

During his tenure as President of the Bergen County Central Trades and Labor Council, Phil built the organization into an important voice for working families, and turned it into a source of pride for its membership. The number of local unions affiliated with the Council doubled and participation of its members increased tenfold.

As the founder of the Council's community service program, the United Labor Agency of Bergen County, Phil created an agency committed to helping those workers who have encountered hard times. By providing New Jersey's union members with both the opportunity and the means to help their fellow workers, this agency has imbued the workers of northern New Jersey with a sense of togetherness and pride, and has even grown into a national model for community service.

Phil's recognition of the integral role that our nation's unions have played in making America prosper has earned him the law and respect of northern New Jersey's labor community. His commitment to the Bergen County Central Trades and Labor Council is unparalleled and serves as a model of excellence for all those who care about working men and women.

Mr. Speaker, I would like to extend my thanks and gratitude to Philip J. McLewin and I hope that his next endeavor is a successful as his last one has been.

THE CASABLANCA CONFERENCE—AN HISTORIC MEETING OF WORLD WAR II ALLIES

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mr. GILMAN. Mr. Speaker, the following article by Ambassador Joseph Verner Reed, former U.S. Ambassador to Morocco, from the March 1999 Newsletter of the American Society of the French Legion of Honor, documents the war time diplomacy between the United States and Great Britain. The Casablanca Conference between President Franklin Delano Roosevelt and Prime Minister Winston Churchill took place in early 1943, and as this article documents set the stage for the end game of World War II in the European theater.

[From the ASFLH Newsletter, March 1999]

THE CASABLANCA CONFERENCE, JANUARY 1943

(By Ambassador Joseph Verner Reed)

In the spring edition of the ASFLH Newsletter (June 1998, Vol. 5, No. 2), an article on the history of the White House by our President, Guy Wildenstein, caught my eye. Regarding the historic 1943 meeting of President Franklin Roosevelt and Prime Minister Winston S. Churchill in Casablanca, Morocco, it was noted that Marshall Josef Stalin and General Charles de Gaulle were also participants at the conference. In point of clarification, Marshall Stalin did not attend the Casablanca Conference. General de Gaulle had a ''cameo role'' on the last day of the ten-day event.

Herewith are some details on the Casablanca Conference which took place in Morocco in early 1943—a summit meeting which determined the future course of American and British wartime operations and history.

As a former Ambassador to Morocco, I spent many days at the elegant Villa Mirador, the official residence of the Consul General of the US in Casablanca. Villa Mirador served as Prime Minister Churchill's residence during the Casablanca Conference. President Roosevelt was hosted nearby in Villa Dar es Saada (House of Happiness). The master bedroom is located on the ground floor—a suitable layout for the handicapped President.

In the closing months of 1942, debate over European strategy had entered a new stage. On November 25, President Roosevelt wrote to Prime Minister Churchill that a high level meeting should be held with the Russians, perhaps in Cairo or Moscow itself, to discuss the Alliance war effort. The US had been at war for less than a full year. Roosevelt and Churchill had yet to meet jointly with Stalin to discuss the basic strategy of their ''Alliance''—an odd alliance forged only through the necessity of combating a common enemy—Nazi Germany and the apocalyptic horrors of World War II.

Roosevelt, believing a meeting of the Alliance would be held in Cairo, proposed to Churchill in a second letter dated December 2, 1942, to have a private bilateral Anglo-American meeting at a site south of Algiers or in Khartoum prior to meeting with the Russians. The President wanted to keep this advance meeting secret as he did ''not want to give Stalin the impression we are settling everything between ourselves before we meet him.'' In his letter, Roosevelt noted that ''Stalin has already agreed to a purely military conference to be held in Moscow.''

Two weeks later, on December 17, 1942, Roosevelt reported to Churchill that Stalin had sent a reply expressing his regret that he would be unable to attend a meeting of the Alliance leadership as it was ''impossible for me [Stalin] to leave the Soviet Union either in the near future or even at the beginning of March. Front business absolutely prevents it, demanding may constant presence near our troops.'' (N.B. During the winter of '42–'43, Marshall Stalin was in day-to-day command of the defense of Stalingrad.)

In his communiqué Stalin said nothing about a military meeting with Roosevelt and Churchill in Moscow—a proposal to which Roosevelt believed Stalin had already agreed. Roosevelt sent word back to the Kremlin that he was ''deeply disappointed'' with Stalin's reply. Marshall Stalin responded by stating they could discuss questions by correspondence until they were able to meet in the future. On substantive issues, Stalin wrote, ''I think we shall not differ.''

In that same message, Marshall Stalin called for the opening of a Second Front in Europe. ''I feel confident,'' he went on, ''the promise to open a Second Front in Europe, which you, Mr. President, and Mr. Churchill gave for 1942, or the spring of 1943 at the latest, will be kept and that a Second Front in Europe will be opened jointly by Great Britain and the USA next spring.'' Thus, without having to attend, Marshall Stalin left his imprimatur on the proposed Allied conference by raising the question of a Second Front.

Even without Marshall Stalin, President Roosevelt believed he should meet face-to-face with Prime Minister Churchill to discuss the war effort. But where? England was out as a meeting place ''for political reasons,'' and the President wanted to depart the highly charged atmosphere of Washington. With no Josef Stalin, the US and British leaders would have no need for foreign affairs specialists because their discussions would be essentially military-related. Foreign Secretary Eden and Secretary of State Hull did not attend. Was it possible to meet in a convenient and recently vanquished territory under Allied control? What about Morocco?

On December 21, 1942, Roosevelt wrote to Churchill proposing a meeting in ''a safe place—Casablanca.'' Churchill agreed. The conference was code-named ''Symbol.''

The President departed on January 11 from Miami, Florida, for his fourth official meeting with Prime Minister Churchill. The Casablanca Conference turned out to be the first in a series of great midwar international conferences.

January 11 was further marked as an historic occasion as it was the first time a US President had flown in an aircraft while in office. It was also the first time that a sitting American President had left the US in a time of war.

President Roosevelt's departure and his destination were carefully guarded secrets. The Navy Department was assigned responsibility for overseeing all travel operations. Casablanca, the site of the conference, lay across the hazardous Atlantic; a circuitous route covering some 7,372 air miles was selected, and the presidential party was in the air and taxiing for 46 hours and 38 minutes (ample time for talks with the Presidential Advisor Harry Hopkins, cards and martinis).

The President and his entourage boarded a Pan American World Airways ''Flying Boat'' Clipper Ship (a Boeing 314) in Miami, Florida (the Dixie Clipper). They flew to Port of Spain, Trinadad—on to Belem in Brazil—then on to Bathurst, a former British colony in The Gambia. West Africa.

An identical back-up Clipper followed the President's plane as a precautionary measure—setting further precedent for the tradition of two identical Air Force Ones to be flown in tandem as the US President travels. Roosevelt and his entourage then transferred to an Air Transport Command plane of the Army Air Corps (a C–54) for the last leg of the journey—the flight to Casablanca.

President Roosevelt arrived in Casablanca on the afternoon of January 14, 1943. Prime Minister Churchill arrived the day before. The Hotel Anfa was to serve as the conference headquarters. The hotel and the villas surrounding it were renamed ''Anfa Camp'' for the duration of the conference.

Surrounded by palm trees, bougainvillea, orange groves and with sparkling sunny skies overhead, the conference was still held amidst a wartime atmosphere. The perimeter of Anfa Camp was protected by barbed wire entanglements with only two entrances guarded by sentries; heavily armed infantrymen kept watch on the Hotel Anfa and all residential villas, and the skies were filled with patrolling fighter squadrons.

Only two months previously, the Allies had landed in Morocco on November 8, 1942. A fellow member of our Society, General Vernon A. Walters, landed as a 2nd Lieutenant in the coastal port of Safi, south of Casablanca in Operation Torch. (The other landings were at Port Lyautey [now Kenitra] and Mohammedia.)

Though the strange alliance of the Western Powers and the Soviet Union was linked by the common bond of Axis danger, they had yet to agree on an overall strategy for containing and confronting the Wehrmacht German Army, and, in January 1943, the issue of opening a Second Front in Western Europe remained entirely an unresolved issue.

Even between the US and the UK, fundamental war strategy and joint planning for the immediate future were unsettled. These were not easy matters, and in addition to plenary sessions, the participants of the Casablanca Conference carried on informal discussions over luncheon and dinner. The dinners sometimes lasted into the early hours of the next morning!

Even so, the Casablanca Conference progressed and, at its conclusion, marked many strategic milestones and decisions. During the ten-day event, the two groups of leaders and advisors held fifteen separate official joint meetings. The military objectives derived from the intense deliberqtions in Casablanca were:

Defeat the German submarine force in the Atlantic.

Increase the number of American troops in Great Britain.

Strengthen the air campaign against Nazi Germany.

Attempt to bring Turkey into the war against the Axis.

Prepare for the ultimate invasion of Western Europe.

Invade Sicily.

At the conference, President Roosevelt first introduced the principle of ''unconditional surrender'' of the Axis—a concept that was to have important consequences for the Allied Coalition for the remainder of the war.

While in Casablanca, President Roosevelt also had a dinner meeting with the Sultan of Morocco, Mohammed V, on January 22. Among the subjects discussed was ''post-war colonial liberation.'' Did this ''exchange of views'' between President Roosevelt and Sultan Mohammed V that evening portend independence for Morocco?

Toward the end of the conference, General Charles de Gaulle was ''invited'' from England to meet with Roosevelt and Churchill. General de Gaulle, the London-based leader of ''the Free French Government in Exile,'' arrived in Casablanca on January 22. On the last day of the conference, the U.S. President and the British Prime Minister met separately with de Gaulle and General Henri Giraud, the High Commissioner of French Africa, who had replaced Admiral Darlan after the latter's assassination in Algiers on December 24, 1942.

Both Giraud and de Gaulle were rivals for leadership of the Free French. The conference was winding down, and though the President and the Prime Minister considered the ten-day effort a ''great success,'' the exception was a failure to obtain a real conciliation between Generals Giraud and de Gaulle.

Nonetheless, it was an important public relations objective to demonstrate ''solidarity,'' and on January 24, Lord Moran, the personal physician of Prime Minister Churchill, wrote in his diary, ''The President decided the lawn behind his bungalow, Villa

Dar es Saada, should be the site of an interesting ceremony . . .''

The Allied war effort continued. General George C. Marshall was immediately dispatched to Moscow to debrief Marshall Stalin on the results of the conference. When Stalin learned that Roosevelt and Churchill had decided to forego, for the immediate future, a Second Front through an invasion of France, he declined to receive General Marshall. For the Russians, the ''Great Patriotic War'' would go on for another year and a half before the opening of a Second Front with the Normandy invasion in June 1944.

Later that year, President Roosevelt did meet with Marshall Stalin in Teheran, Iran, for the first time on November 28—December 1, 1943. Despite Stalin's disappointment over the timing of the Second Front, at the final dinner Marshall Stalin made the memorable toast, ''Without America, we [Russia] would already have lost the war.'' (N.B. Churchill first met Stalin in Moscow, in July 1942.)

NAPERVILLE (IL) LIBRARIES RANK NUMBER ONE IN THE UNITED STATES

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1999

Mrs. BIGGERT. Mr. Speaker, I rise today to offer my warmest congratulations to the city of Naperville and its two public libraries.

For the second year in a row, the Naperville Public Libraries have been named the number one public library system in the United States when compared with other facilities of comparable size.

The ranking revealed in a recent article in the magazine ''American Libraries,'' looked at factors such as collection turnover, materials expenditure per capita, periodicals per 1,000 residents, cost per circulation and circulation per full-time employment staff hour.

It's time that public libraries receive more recognition. They are the great equalizer in our society as they ensure free and unlimited access to invaluable educational resources for anyone who simply has the desire to learn.

Librarians and employees continually go above and beyond the call of duty with their exceptional service and commitment to provide enriching and enlightening information to everyone in the community.

Libraries enhance our knowledge of ourselves and the world around us. Great libraries, like Nicols and Naper Boulevard, deserve our highest praise and recognition.

Congratulations to the Naperville Public Libraries—the very best in their class

Daily Digest
Senate

Chamber Action

Routine Proceedings, pages S10793–10873

Measures Introduced: Two bills and three resolutions were introduced, as follows: S. 1581–1582, S. Res. 183–184, and S. Con. Res. 56. **Page S10852**

Measures Reported: Reports were made as follows:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000''. (S. Rept. No. 106–158) **Page S10851**

Measures Passed:

FALN Terrorist Clemency: By 95 yeas to 2 nays (Vote No. 273), Senate passed S.J. Res. 33, deploring the actions of President Clinton regarding granting clemency to the Armed Forces of National Liberation (the FALN) terrorists, as modified.

Pages S10801, S10804–07, S10809–13, S10815–18

Department of the Interior Appropriations: Senate continued consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto:

Pages S10793–S10801, S10820, S10828–47

Adopted:

Gorton (for Dorgan) Amendment No. 1628, to make technical corrections to the National Forest-Dependent Rural Communities Economic Diversification Act of 1990. **Page S10828**

Gorton Amendment No. 1629, to make a technical correction to a U.S. Code cite. **Page S10828**

Gorton Amendment No. 1630, to provide for the Interstate 90 Land Exchange. **Pages S10828–29**

Gorton (for Kyl) Amendment No. 1631, to clarify that a Bureau-funded school may share a campus with a school that offers expanded grades and that is not a Bureau-funded school. **Pages S10828–29**

Gorton (for Reid) Amendment No. 1632, to direct the Secretary of the Interior to convey certain land to Nye County, Nevada. **Pages S10828–30**

Gorton (for Reid) Amendment No. 1633, to give the city of Mesquite, Nevada, the right to purchase at fair market value certain parcels of public land in the city. **Pages S10828, S10830**

Gorton (for Lugar) Amendment No. 1634, to provide for certain forest and rangeland renewable resources. **Pages S10828, S10830**

Gorton (for Murkowski) Amendment No. 1635, to prevent expenditure of funds that may be used to circumvent or contradict existing law and policy regarding the Federal government's energy efficiency programs. **Pages S10828, S10830**

Gorton (for Breaux/Landrieu) Amendment No. 1636, to authorize the Fish and Wildlife Service to retain and use fees collected for certain damages caused to national wildlife refuge lands in Louisiana and Texas to assess and mitigate or restore the damaged resources, and monitor and study the recovery of such damaged resources. **Pages S10828, S10830**

Gorton (for Collins) Modified Amendment No. 1613, expressing the sense of the Senate that the National Park Service should begin planning for the quadricentennial commemoration of the Saint Croix Island International Historic Site. **Pages S10830–32**

Gorton (for Hatch) Modified Amendment No. 1610, to ban the use of public funds for the study of decommissioning the Glen Canyon Dam or the draining of Lake Powell. **Pages S10830–32**

Gorton (for Murkowski) Modified Amendment No. 1601, to assist small exporters of certain animal products. **Pages S10830–32**

Gorton (for Murkowski) Modified Amendment No. 1600, making contingent funding plans. **Pages S10830–32**

Gorton (for Campbell) Modified Amendment No. 1595, to require the Forest Service to use appropriated or other funds to improve the control or eradication of pine beetles in the Rocky Mountain region of the United States. **Pages S10830–32**

Byrd (for Bryan/Reid) Modified Amendment No. 1587, to establish the scientific basis for noise standards applied to the Grand Canyon National Park. **Pages S10830–31**

Gorton (for Burns/Craig) Modified Amendment No. 1408, to prevent the physical reintroduction of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana in FY2000 and to allow for greater public involvement in the project. **Pages S10830–31**

Gorton (for Stevens) Amendment No. 1593, to provide for increased funding of certain programs of

the Smithsonian Institution and the Indian Health Service. **Pages S10830–31**

Byrd (for Durbin) Amendment No. 1371, to place a requirement on the use of funds for development of a resource management plan and for timber sales in the Shawnee National Forest, Illinois.

Pages S10830–31

Gorton/Levin/DeWine Amendment No. 1637, to provide funds to the U.S. Fish and Wildlife Service Resource Management account for grants under the Great Lakes Fish and Wildlife Restoration Program and for spartina grass research.

Pages S10832–33, S10837

Gorton (for Cochran) Amendment No. 1597, to provide an additional $4,000,000 for the National Endowment for the Humanities.

Pages S10832–33, S10836

Gorton (for Bennett) Modified Amendment No. 1493, to provide additional funding for the National Endowment for the Arts. **Pages S10832–35**

Gorton (for Lieberman) Modified Amendment No. 1362, to provide funding for the acquisition of the Weir Farm National Historic Site in Connecticut, with an offset. **Pages S10832–33**

Gorton (for Abraham) Modified Amendment No. 1367, to provide funding for facilities maintenance at Isle Royale National Park. **Pages S10832–33**

Gorton (for Jeffords) Amendment No. 1638, to increase funding for weatherization assistance grants and state energy conservation grants, with an offset.

Pages S10832–33, S10837

Gorton (for Crapo/Burns) Amendment No. 1639, to set aside funding for development of a habitat conservation plan for cold water fish in the States of Idaho and Montana. **Pages S10832–33, S10837**

Byrd (for Torricelli) Modified Amendment No. 1573, to provide funding for the Fredericksburg and Spotsylvania National Military Park, with an offset.

Pages S10832–33, S10835

Byrd (for Johnson) Modified Amendment No. 1575, to provide funding for tribally controlled colleges and universities. **Pages S10832–33, S10835**

Gorton (for Shelby) Modified Amendment No. 1578, to make funds available to the Secretary of the Interior to develop a pilot wildlife data system for the State of Alabama. **Pages S10832–33, S10835**

Byrd (for Inouye) Modified Amendment No. 1582, to provide funding for modifications to the Franklin Delano Roosevelt Memorial, with an offset.

Pages S10832–33, S10835

Byrd (for Bingaman) Amendment No. 1640, to increase funding for Post Secondary Schools funded by the Bureau of Indian Affairs.

Pages S10832–33, S10837

Byrd (for Bingaman) Amendment No. 1641, to direct the Secretary of Agriculture and the Secretary of the Interior to increase the number of youth employed during the summer to accomplish conservation projects. **Pages S10832–33, S10837–38**

Byrd (for Kohl) Modified Amendment No. 1590, to provide that in return for a quit claim deed to a school building on the Lac Courte Oreilles Ojibwe Indian Reservation, the Secretary shall pay to U.K. Development, LLC the amount of $375,000 from the funds made available under the construction account of the Bureau of Indian Affairs.

Pages S10832–33, S10835–36

Byrd (for Edwards) Modified Amendment No. 1592, to provide funds for the Forest Service to acquire lands at Lake Logan, North Carolina.

Pages S10832–33, S10836

Gorton (for Abraham) Amendment No. 1642, to increase funding for payments in lieu of taxes, with offsets. **Pages S10832–33, S10838**

Gorton (for Murkowski) Amendment No. 1643, to provide funds for the land and water conservation fund stateside program, with offsets.

Pages S10832–33, S10838–40

Gorton (for Stevens) Amendment No. 1644, to provide for increased funding of certain programs of the Smithsonian Institution and the Indian Health Service, with an offset for the National Park Service.

Pages S10832–33, S10840

Byrd (for Levin) Modified Amendment No. 1606, to provide funding for the acquisition of new properties in Kenweenaw National Historic Park, Michigan, with an offset. **Pages S10832–33, S10836**

Gorton (for Collins/Snowe) Modified Amendment No. 1612, to make funds available for planning and development of interpretive sites for the quadricentennial commemoration of the Saint Croix Island International Historic Site, with an offset.

Pages S10832–33, S10836–37

Byrd (for Feinstein) Modified Amendment No. 1615, to authorize the Forest Service to reimburse Harry Fray for the cost of his home, $143,406 (1997 dollars) destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.

Pages S10832–33, S10837

Byrd (for Bingaman) Amendment No. 1645, to make available funds for grants to municipal governments for cost-shared research projects in buildings, municipal processes, transportation and sustainable urban energy systems. **Pages S10832–33, S10840**

Byrd Amendment No. 1646, to provide funding for Wheeling National Heritage Area.

Pages S10832–33, S10840

Gorton Amendment No. 1647, to provide funding for an environmental impact statement to be prepared by the Forest Service, as mandated by the 9th Circuit Court of Appeals. **Pages S10832–33, S10840**

Byrd (for Reid) Amendment No. 1648, to provide for a review of possible alternatives to the Weber Dam on the Walker River Paiute Reservation in Nevada. **Pages S10832–33, S10840**

Gorton (for Stevens) Amendment No. 1649, to provide funds for timber pipeline supply on the Tongass National Forest. **Pages S10832–33, S10840**

Gorton (for Lott) Amendment No. 1650, to set aside funding for a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail. **Pages S10832–33, S10840**

Gorton (for Grams/Wellstone) Amendment No. 1651, to provide for the conveyance of the Twin Cities Research Center. **Pages S10832–33, S10840**

Byrd (for Kerrey) Amendment No. 1652, to provide for the Boyer Chute National Wildlife Refuge land acquisition. **Pages S10832–33, S10840**

Gorton (for Bond) Amendment No. 1653, to make funds available for the Wilson's Creek National Battlefield. **Pages S10832–33, S10840**

Byrd (for Hollings) Amendment No. 1654, to make funds available for the acquisition of lands at Fort Sumter National Monument. **Pages S10832–33, S10840**

Gorton (for Abraham) Amendment No. 1655, to make funds available for the creation of a community development database at the Michigan State University. **Pages S10832–33, S10840**

Gorton (for Warner) Amendment No. 1656, to make funds available for certain water resources development programs. **Pages S10832–33, S10840**

Byrd (for Torricelli) Modified Amendment No. 1572, to provide funding to carry out the Urban Park and Recreation Recovery Act of 1978, with an offset. **Pages S10832–33, S10835**

Gorton Amendment No. 1657, to provide for certain reductions in budget authority for the fiscal year ending September 30, 2000. **Pages S10832–33, S10840–41**

Gorton Amendment No. 1359, of a technical nature. **Pages S10832–33, S10841**

Rejected:

Bryan/Wyden Amendment No. 1623 (to Amendment No. 1588), to make available certain funds for survey and manage requirements of the Northwest Forest Plan Record of Decision. (By 54 yeas to 43 nays (Vote No. 272), Senate tabled the amendment.) **Pages S10794–S10801**

Pending:

Gorton Amendment No. 1359, of a technical nature. **Page S10793**

Hutchison Amendment No. 1603, to prohibit the use of funds for the purpose of issuing a notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000. **Page S10793**

Bryan Amendment No. 1588, to make available certain funds, by reducing the subsidy for the below-cost timber program administered by the Forest Service and for the construction of logging roads in national forests, for other Forest Service programs including road maintenance, wildlife and fish habitat management, and for threatened, endangered, and sensitive species habitat management. **Pages S10794–S10801**

Transportation Appropriations: Senate began consideration of H.R. 2084, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto: **Pages S10820–25, S10827**

Adopted:

Shelby Amendment No. 1624, in the nature of a substitute. **Page S10822**

Pending:

Wyden Amendment No. 1625, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents involving the failure to disclose information on the overbooking of flights. **Pages S10823–24**

Wyden Amendment No. 1626, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers involving denying airline consumers access to information on the lowest fare available. **Pages S10824–25**

A unanimous-consent agreement was reached providing for further consideration of the bill and pending amendments on Wednesday, September 15, 1999, with votes to occur thereon. **Page S10827**

Appointments:

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappointed Robert C. Khayat, of Mississippi, to the Advisory Committee on Student Financial Assistance for a term beginning October 1, 1999, and ending September 30, 2002. **Page S10872**

Coordinating Council on Juvenile Justice and Delinquency Prevention: The Chair, on behalf of the Majority Leader, after consultation with the Democratic Leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, announced the appointment of Charles Sims, of Mississippi, to serve as a member of the Coordinating Council on Juvenile Justice and Delinquency Prevention, vice William Keith Oubre. **Page S10872**

Nominations Received: Senate received the following nominations:

Joshua Gotbaum, of New York, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

Joe Kendall, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2001.

Michael O'Neill, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2003.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 1999.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2005.

John Hollingsworth Sinclair, of Vermont, to be United States Marshal for the District of Vermont for the term of four years. **Page S10873**

Messages From the House: **Page S10850**

Measures Referred: **Pages S10850–51**

Measures Placed on Calendar: **Page S10851**

Communications: **Pages S10851–52**

Statements on Introduced Bills: **Page S10852**

Additional Cosponsors: **Pages S10852–54**

Amendments Submitted: **Pages S10856–70**

Notices of Hearings: **Page S10870**

Authority for Committees: **Page S10870**

Additional Statements: **Pages S10870–72**

Record Votes: Two record votes were taken today. (Total—273) **Pages S10801, S10818**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:06 p.m., until 10 a.m., on Wednesday, September 15, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10873.)

Committee Meetings

(Committees not listed did not meet)

EXERCISE BENEFITS FOR SENIORS

Special Committee on Aging: Committee concluded hearings to examine the benefits of exercise for the elderly, after receiving testimony from Terrie Fox Wetle, Deputy Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; James F. Fries, Stanford University School of Medicine, Palo Alto, California; Margaret Richard, PBS–TV, Orchard Park, New York; George McVicker, West Des Moines, Iowa; and Mary Elizabeth Norckauer, Baton Rouge, Louisiana.

YOUTH VIOLENCE INITIATIVE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings on a proposed fiscal year 2000 youth violence initiative, after receiving testimony from Alexis M. Herman, Secretary of Labor; Richard W. Riley, Secretary of Education; Donna E. Shalala, Secretary of Health and Human Services; and Eric H. Holder, Jr., Deputy Attorney General, Department of Justice.

SOLAR AND RENEWABLE ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development concluded hearings on issues concerning solar and renewable energy, focusing on how to assist government and industry in increasing the use of renewable energy technologies in the nation's energy marketplace, after receiving testimony from Dan W. Reicher, assistant Secretary of Energy for Energy Efficiency and Renewable Energy; R. Brent Alderfer, Competitive Utilities Strategies, Pittsburgh, Pennsylvania; Uwe Rockenfeller, Rocky Research, Boulder City, Nevada; Greg Renkes, Southeast Alaska Bio-Energy Project, Anchorage; and Dallas Burtraw, Resources for the Future, Washington, D.C., on behalf of the Renewable Energy Policy Project.

SINKING OF THE USS INDIANAPOLIS

Committee on Armed Services: Committee concluded hearings on issues concerning the sinking of the USS INDIANAPOLIS and the subsequent court-martial of Rear Admiral Charles B. McVay III, USN, and provisions of S. J. Res. 26, expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. INDIANAPOLIS, after receiving testimony from Adm. Donald L. Pilling, USN, Vice Chief of Naval Operations; Rear Adm. John D. Hutson, USN, Judge Advocate General; William S. Dudley, Director, Naval Historical Center; Hunter Scott, Pensacola, Florida; Paul J. Murphy, Broomfield, Colorado; Harlan M. Twible, Sarasota, Florida; and Dan Kurzman, North Bergen, New Jersey.

ENERGY POLICY AND CONSERVATION ACT

Committee on Energy and Natural Resources: Subcommittee on Energy Research, Development, Production and Regulation concluded hearings on S. 1051, to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively, after receiving testimony from Robert W. Gee, Assistant Secretary of Energy for Fossil Energy.

NORTHERN MARIANA ISLANDS COVENANT IMPLEMENTATION ACT

Committee on Energy and Natural Resources: Committee concluded hearings on S. 1052, to implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, after receiving testimony from Bo Cooper, Immigration and Naturalization Service, Department of Justice; Governor Pedro P. Tenorio, and Juan N. Babauta, Resident Representative to the United States, both of the Commonwealth of the Northern Mariana Islands, who were accompanied by several of their associates.

COUNTERTERRORISM POLICY/FALN TERRORISTS CLEMENCY

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism held hearings to review the United States counterterrorism policy and certain implications of the President's decision to grant clemency to FALN terrorists, receiving testimony from Representative Fossella; Gilbert G. Gallegos, Fraternal Order of Police, Washington, D.C.; and Anthony Senft, Rich Pastorella, and Joseph Connor, all of New York, New York.

Hearings recessed subject to call.

EDUCATIONAL READINESS

Committee on Health, Education, Labor, and Pensions: Committee held hearings to examine the current status of the American educational system and how well it is preparing children to meet the demands of a global economy in the 21st Century, receiving testimony from Ben Cohen, Business Leaders for Sensible Priorities, Burlington, Vermont; Lawrence Korb, Council on Foreign Relations, New York, New York; Robert Chase, National Education Association, Washington, D.C.; Virginia Markell, Clackamas, Oregon, on behalf of the National Parent Teacher Association; and Michele Cavataio, America Online, Inc., Dulles, Virginia.

HATE CRIME ON THE INTERNET

Committee on the Judiciary: Committee concluded hearings on ramifications of Internet technology on today's children, focusing on the prevalence of internet hate, and recommendations on how to shield children from the negative impact of violent media, after receiving testimony from Michael J. Gennaco, Assistant United States Attorney for the Central District of California, Department of Justice; Rabbi Abraham Cooper, Simon Wiesenthal Center, Los Angeles, California, Wade Henderson, Leadership Conference on Civil Rights, and Howard Berkowitz, on behalf of the Anti-Defamation League, both of Washington, D.C.; and Joseph T. Roy, Sr., Southern Poverty Law Center, Montgomery, Alabama.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Ronald M. Gould, of Washington, to be United States Circuit Judge for the Ninth Circuit, Anna J. Brown, to be United States District Judge for the District of Oregon, Florence-Marie Cooper, to be United States District Judge for the Central District of California, Richard K. Eaton, of the District of Columbia, to be a Judge of the United States Court of International Trade, Ellen Segal Huvelle, to be United States District Judge for the District of Columbia, and Charles A. Pannell, Jr., to be United States District Judge for the Northern District of Georgia, after the nominees testified and answered questions in their own behalf. Mr. Gould was introduced by Senators Gorton and Murray, Ms. Brown was introduced by Senators Gorton, Murray, Wyden, and Gordon Smith, Ms. Cooper was introduced by Senator Feinstein, Mr. Eaton was introduced by Senator Moynihan and Representative Boehlert, Ms. Huvelle was introduce by Representative Norton, and Mr. Pannell was introduced by Senator Cleland.

GROCERY INDUSTRY SLOTTING FEES

Committee on Small Business: Committee held hearings on issues relating to grocery industry slotting fees (fees charged by the retailer that manufacturers pay to hold a certain amount of shelf space), and their effect on small business and the consumer, receiving testimony from Scott Garfield, Lee's Ice Cream, Inc., Baltimore, Maryland; Gregory T. Gundlach, University of Notre Dame College of Business Administration, Notre Dame, Indiana; Robert A. Skitol, Drinker, Biddle and Reath, John J. Motley III, Food Marketing Institute, and W. Jeffrey Schmidt, Pillsbury, Madison and Sutro, on behalf of the Grocery Manufacturers of America, all of Washington, D.C.; and Kenneth Parch, Supermarket Business Magazine, Norwalk, Connecticut.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 19 public bills, H.R. 2849–2867, and 2 resolutions, H. Res. 292–293, were introduced. **Pages H8289–90**

Reports Filed: Reports were filed today as follows:

H.R. 1883, to provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, amended (H. Rept. 106–315, Pt. 1);

H. Res. 288, waiving points of order against the conference report to accompany S. 1059, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 106–316);

H. Res. 289, providing for consideration of H.R. 1655, to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy (H. Rept. 106–317);

H. Res. 290, providing for consideration of H.R. 1551, to authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001 (H. Rept. 106–318);

Conference report on H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000 (H. Rept. 106–319);

H.R. 1875, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, amended, (H. Rept. 106–320);

H.R. 1788, to deny Federal public benefits to individuals who participated in Nazi persecution (H. Rept. 106–321 Pt. 1); and

H. Res. 291, waiving points of order against the conference report on H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000 (H. Rept. 106–322).

Pages H8201–25, H8288–89

Recess: The House recessed at 9:22 a.m. and reconvened at 10:00 a.m. **Page H8154**

Journal Vote: Agreed to the Speaker's approval of the Journal of Monday, September 13, by a yea and nay vote of 360 yeas to 41 nays with one voting "present", Roll No. 408. **Pages H8154, H8159**

Foreign Operations, Export Financing, and Related Programs Appropriations: The House disagreed to the Senate amendment to H.R. 2606, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and agreed to a conference. Appointed as conferees: Representatives Callahan, Porter, Wolf, Packard, Knollenberg, Kingston, Lewis of California, Blunt, Young of Florida, Pelosi, Lowey, Jackson of Illinois, Kilpatrick, Sabo, and Obey. **Pages H8160–66, H8177–78**

Agreed to the Pelosi motion to instruct conferees to insist on the provisions of the House bill with respect to Indonesia limiting International Military Education and Training to "expanded military education and training only" by a recorded vote of 419 ayes with none voting "no", Roll No. 410.

Pages H8160–66, H8177–78

Suspension—Iran Nonproliferation Act: The House agreed to suspend the rules and pass H.R. 1883, amended, to provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology by a yea and nay vote of 419 yeas with none voting "nay", Roll No. 409. **Pages H8166–77**

Bipartisan Campaign Reform Act: The House passed H.R. 417, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office by a yea and nay vote of 252 yeas to 177 nays, Roll No. 422.

Pages H8187–H8201, H8225–86

Agreed to:

The Faleomavaega amendment that clarifies the right of United States nationals to make political contributions; **Pages H8244–45**

The Bereuter amendment, as modified, that only allows contributions from United States citizens or nationals (agreed to by a recorded vote of 242 ayes to 181 noes, Roll No. 414); and

Pages H8240–44, H8250

The Sweeney amendment that requires reimbursement for the use of government equipment for campaign-related travel (agreed to by a recorded vote of 261 ayes to 167 noes, Roll No. 416).

Pages H8253–55, H8259–60

Rejected:

The Whitfield amendment, as modified, that sought to increase individual contribution limits

from $1,000 to $3,000 (rejected by a recorded vote of 127 ayes to 300 noes, Roll No. 411);

Pages H8235–36, H8248

The Doolittle amendment, as modified, that sought to increase aggregate contribution limits from $30,000 to $75,000 (rejected by a recorded vote of 123 ayes to 302 noes, Roll No. 412);

Pages H8236–38, H8248–49

The Doolittle amendment, as modified, that sought to exempt voter guides from the ''express advocacy'' definition; (rejected by a recorded vote of 189 ayes to 238 noes, Roll No. 413);

Pages H8238–40, H8249–50

The Calvert amendment that sought to require the majority of congressional campaign contributions to come from in-state residents (rejected by a recorded vote of 179 ayes to 248 noes, Roll No. 415);

Pages H8250–53, H8259

The DeLay amendment that sought to exempt internet activities from regulation (rejected by a recorded vote of 160 ayes to 268 noes, Roll No. 417);

Pages H8255–57, H8260–61

The Ewing amendment that sought to render the entire Act invalid if any provision is held to be unconstitutional (rejected by a recorded vote of 167 ayes to 259 noes, Roll No. 418);

Pages H8257–59, H8261

The Doolittle amendment in the nature of a substitute that sought to repeal limits on federal campaign contributions and taxpayer financing of presidential elections, require political parties to distinguish between Federal and non Federal funds, and mandate electronic filing of reports (rejected by a recorded vote of 117 ayes to 306 noes, Roll No. 419);

Pages H8261–68

The Hutchinson amendment in the nature of a substitute that sought to ban the use of soft money by national political parties and candidates, index contribution limits to inflation, and expand the disclosure of campaign finance information (rejected by a recorded vote of 99 ayes to 327 noes, Roll No. 420); and **Pages H8268–77**

The Thomas amendment in the nature of a substitute that sought to ban foreign contributions to all campaign-related disbursements, improve reporting of finance information, strengthen the enforcement of the Federal Election Commission, and simplify federal election law (rejected by a recorded vote of 173 ayes to 256 noes, Roll No. 421).

Pages H8277–85

Withdrawn:

The Goodling amendment was offered, but subsequently withdrawn, that sought to require unions to obtain authorization from their members to use any dues or fees for activities that are not necessary for representational duties or labor-management issues;

Pages H8245–47

H. Res. 283, the rule that provided for consideration of the bill was agreed to by voice vote.

Pages H8178–87

Commission on Security and Cooperation in Europe: Read a letter from Representative Markey wherein he resigned from the Commission on Security and Cooperation in Europe. Subsequently, the Chair announced the Speaker's appointments of Representative Pitts, and upon the recommendation of the Minority Leader, Representative Forbes to the Commission. **Pages H8286–87**

Financial Services Act Conferees: The Chair appointed the following additional conferees on S. 900, Financial Services Act of 1999: From the Committee on Banking and Financial Services, for consideration of section 101 of the Senate bill and section 101 of the House amendment: Representative King is appointed in lieu of Representative Bachus and Representative Royce is appointed in lieu of Representative Castle. From the Committee on Commerce for consideration of section 101 of the Senate bill and section 101 of the House amendment: Representative Wilson is appointed in lieu of Representative Largent and Representative Fossella is appointed in lieu of Representative Bilbray. **Page H8286**

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H8290–91.

Quorum Calls—Votes: Three yea and nay votes and twelve recorded votes developed during the proceedings of the House today and appear on pages H8159, H8176–77, H8177–78, H8248, H8248–49, H8249–50, H8250, H8259, H8259–60, H8260–61, H8261, H8268, H8276–77, H8285, and H8286. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 11:52 p.m.

Committee Meetings

FARM FINANCIAL CRISIS

Committee on Agriculture: Held a hearing to review the farm financial crisis. Testimony was heard from public witnesses.

Hearings continue tomorrow.

HOLOCAUST VICTIMS

Committee on Banking and Financial Services: Held a hearing on French and Austrian Banks and Issues Relating to Forced Labor and the Settlement of Insurance Claims by Holocaust Victims and their Heirs. Testimony was heard from Stuart Eizenstat,

Deputy Secretary, Department of the Treasury; Lawrence Eagleburger, Chairman, International Commission on Holocaust-Era Insurance Claims; and public witnesses.

CORPORATION FOR NATIONAL SERVICE—FAILED PROMISE

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on ''The Failed Promise of the Corporation for National Service.'' Testimony was heard from the following officials of the Corporation for National Service, Department of Education: Robert Rogers, Chairman of the Board; and Luise Jordan, Inspector General; and public witnesses.

INTERNATIONAL SEX TRADE—TRAFFICKING OF WOMEN AND CHILDREN

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Trafficking of Women and Children in the International Sex Trade. Testimony was heard from the following officials of the Department of State: Harold Hongju Koh, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor; and Theresa Loar, Director, President's Interagency Council on Women; and public witnesses.

PAIN RELIEF PROMOTION ACT; UNBORN VICTIMS OF VIOLENCE ACT

Committee on the Judiciary: Ordered reported the following bills: H.R. 2260, Pain Relief Promotion Act of 1999; and H.R. 2436, amended, Unborn Victims of Violence Act of 1999.

FEDERAL WILDLIFE ACTIVITIES—GAO REPORT; WILDLAND FIREFIGHTERS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the GAO Report: ''Federal Wildlife Activities; Current Strategy and Issues Needing Attention.'' Testimony was heard from Barry Hill, Associate Director, Resources, Community, and Economic Development Division, GAO; Larry Payne, Assistant Deputy Chief, State and Private Forestry, Forest Service, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following bills: H.R. 2737, to authorize the Secretary of the Interior to convey to the State of Illinois certain Federal land associated with the Lewis and Clark National Historic Trail to be used as an historic and interpretive site along the trail; and S. 382, Minuteman Missile National Historic Site Establishment Act of 1999. Testimony was heard from Senator Johnson; Representatives Costello and Thune; William Shaddox, Acting Associate Director, Progessional Services, National Park Service, Department of the Interior; Robert J. Coomer. Superintendent, Historic Sites Division, Historic Preservation Agency, State of Illinois; and a public witness.

CONFERENCE REPORT—NATIONAL DEFENSE AUTHORIZATION

Committee on Rules: The Committee granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 1059, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and against its consideration. The rule provides 1 hour of debate equally divided and controlled between the chairman and ranking minority member of the Committee on Armed Services. Testimony was heard from Chairman Spence and Representatives Skelton and Dingell.

CIVIL AVIATION RESEARCH AND DEVELOPMENT AUTHORIZATION

Committee on Rules: The Committee granted, by voice vote, an open rule providing 1 hour of debate on H.R. 1551, Civil Aviation Research and Development Authorization Act of 1999. The rule provides that the bill shall be open to amendment by section. The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows 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 one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Hall of Texas.

DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT AND DEMONSTRATION AUTHORIZATION ACT

Committee on Rules: The Committee granted, by voice vote, an open rule providing 1 hour of debate on H.R. 1655, Department of Energy Research, Development and Demonstration Authorization Act of 1999. The rule provides that the bill shall be open to amendment by section. The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows 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 one motion to recommit with or without instructions.Testimony was heard from Chairman Sensenbrenner and Representative Hall of Texas.

CONFERENCE REPORT—TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Kolbe and Hoyer.

REFORMULATED GASOLINE

Committee on Science: Subcommittee on Energy and Environment held a hearing on Reformulated Gasoline (Part I). Testimony was heard from Margo T. Oge, Director, Office of Mobile Sources, Office of Air and Radiation, EPA; Tom Skinner, Director, EPA, State of Illinois; and public witnesses.

Hearings continue September 16.

NATIONAL TECHNICAL INFORMATION SERVICE—PLANS TO TERMINATE

Committee on Science: Subcommittee on Technology held a hearing to Review the Department of Commerce's Plan to Terminate the National Technical Information Service. Testimony was heard from Robert Mallett, Deputy Secretary, Department of Commerce; Michael F. DiMario, Public Printer, GPO; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 15, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies, business meeting to mark up proposed legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, 11 a.m., SD–124.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings on how telemedicine technologies are impacting rural health care, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings on the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior; the nomination of Sylvia V. Baca, of New Mexico, to be an Assistant Secretary of the Interior; and the nomination of Ivan Itkin, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy, 10 a.m., SD–366.

Committee on Finance: to hold hearings on the nomination of James G. Huse, Jr., of Maryland, to be Inspector General, Social Security Administration; and the nomination of Neal S. Wolin, of Illinois, to be General Counsel for the Department of the Treasury, 10 a.m., SD–215.

Committee on Governmental Affairs: to hold hearings on the nomination of Sally Katzen, of the District of Columbia, to be Deputy Director for Management, Office of Management and Budget, 10 a.m., SD–628.

Committee on Indian Affairs: to hold oversight hearings on the issue of the Indian Self-Determination and Education Assistance Act and tribal contract support cost, 9:30 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: to hold hearings to examine certain clemency issues for members of the Armed Forces of National Liberation, 10 a.m., SD–226.

Committee on Rules and Administration: business meeting to mark up proposed legislation authorizing expenditures for the period October 1, 1999 through February 28, 2001 by standing, select, and special committees of the Senate, 9:30 a.m., SR–301.

House

Committee on Agriculture, to continue hearings to review the farm financial crisis, 1:30 p.m., 1300 Longworth.

Committee on Banking and Financial Services, Subcommittee on Housing and Community Development, hearing on H.R. 1776, American Homeownership and Economic Opportunity Act of 1999, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, hearing on the Balanced Budget Act of 1997: Impact on Cost Savings and Patient Care, 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, oversight hearing on Broadcast Ownership Regulations, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to mark up H.R. 782, Older Americans Act Amendments of 1999, 10:30 a.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on Government Management, Information, and Technology, hearing on The Y2K Computer Problem: Implications for International Travel, 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on Balkans Oversight I: Corruption in Bosnia, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, to mark up a resolution regarding the situation in East Timor and Supporting a United Nations Security Council-endorsed multinational force for East Timor and to hold a hearing on

Taiwan, the PRC, and the Taiwan Security Enhancement Act, 1 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on H.R. 2083, Special Counsel Act of 1999, 9:30 a.m., 2237 Rayburn.

Subcommittee on the Constitution, hearing on H.R. 2372, Private Property Rights Implementation Act of 1999, 10 a.m., 2226 Rayburn.

Committee on Resources, hearing on H.R. 361, Indian Federal Recognition Administrative Procedures Act, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 1402, to require the Secretary of Agriculture to implement the Class I milk price structure known as Option 1–A as part of the implementation of the final rule to consolidate Federal milk marketing orders, 1 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, to continue hearings on Pilot Fatigue, Part II, 10 a.m., 2167 Rayburn.

Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Aircraft Electrical System Safety, 2 p.m., 2167 Rayburn.

Next Meeting of the SENATE

10 a.m., Wednesday, September 15

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 2084, Transportation Appropriations, with votes on or in relation to Amendment Nos. 1625 and 1626 to occur at 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 15

House Chamber

Program for Wednesday: Consideration of the Conference Report on S. 1059, Defense Authorization, 2000 (rule waiving points of order);

Consideration of H.R. 1551, Civil Aviation Research, and Development Authorization Act (open rule, one hour of general debate);

Consideration of H.R. 1655, Department of Energy Research, Development, and Demonstration Authorization Act (open rule, one hour of general debate); and

Consideration of the Conference Report on H.R. 2490, Treasury, Postal, and General Government Appropriations (rule waiving points of order).

Extensions of Remarks, as inserted in this issue

HOUSE

Ballenger, Cass, N.C., E1865
Becerra, Xavier, Calif., E1870
Bereuter, Doug, Nebr., E1868
Biggert, Judy, Ill., E1876
Bryant, Ed, Tenn., E1864
Carson, Julia, Ind., E1868, E1870
Danner, Pat, Mo., E1873
Davis, Danny K., Ill., E1871
DeLauro, Rosa L., Conn., E1862
Deutsch, Peter, Fla., E1866
Diaz-Balart, Lincoln, Fla., E1869
Duncan, John J., Jr., Tenn., E1863
Emerson, Jo Ann, Mo., E1868
Eshoo, Anna G., Calif., E1859
Farr, Sam, Calif., E1864, E1865, E1867, E1869
Gallegly, Elton, Calif., E1859, E1861
Gillmor, Paul E., Ohio, E1866
Gilman, Benjamin A., N.Y., E1875
Hobson, David L., Ohio, E1859
Hooley, Darlene, Ore., E1865
Hulshof, Kenny C., Mo., E1870
Jenkins, William L., Tenn., E1867
Kaptur, Marcy, Ohio, E1872
Kucinich, Dennis J., Ohio, E1862
Lantos, Tom, Calif., E1871
Lewis, Jerry, Calif., E1860, E1870
McCollum, Bill, Fla., E1864
McInnis, Scott, Colo., E1859, E1861
Meek, Carrie P., Fla., E1860
Moran, James P., Va., E1867
Napolitano, Grace F., Calif., E1873
Neal, Richard E., Mass., E1862
Norton, Eleanor Holmes, D.C., E1870, E1871, E1873
Radanovich, George, Calif., E1861
Reynolds, Thomas M., N.Y., E1867
Rothman, Steven R., N.J., E1874
Saxton, Jim, N.J., E1864
Serrano, José E., N.Y., E1860
Skelton, Ike, Mo., E1863
Thompson, Mike, Calif., E1873
Walsh, James T., N.Y., E1864

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.